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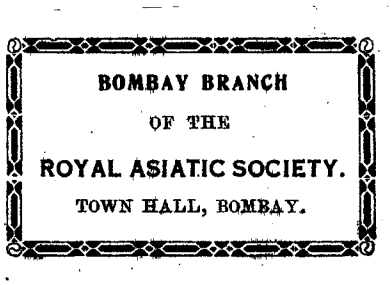

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AN

HISTORICAL REVIEW

OF THE

STATE OF IRELAND,

FROM THE

INVASION OF THAT COUNTRY UNDER HENRY II.

TO ITS

UNION WITH GREAT BRITAIN

On the 1st of January, 1801.

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ac

IN TWO VOLUMES.

By FRANCIS PLOWDEN, Esq.

VOL. I.

Pauci prudentiâ, honesta ab deterioribus, utilia ab noxiis discernunt: plures aliorum eventis docentur.
Tac. 4. *Ann.* 33.

Few are qualified by their own reflection to mark the boundaries between vice and virtue. To separate the useful from that which leads to destruction is not the talent of every man. The example of others is the school of wisdom.
Murphy's *Trans.* Vol. i. p. 273.

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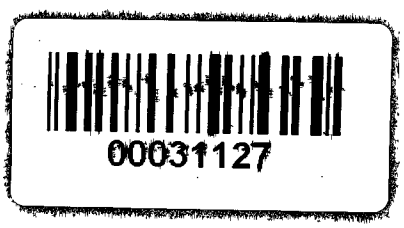
1803.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TO

HIS ROYAL HIGHNESS

THE

PRINCE OF WALES.

SIR,

IN attempting to unfold the incalculable advantages, that are to be derived to the British empire from the union of Great Britain with Ireland, it is natural to fly to the protection of the illustrious personage, who as Heir Apparent to the uniting parties is most deeply interested in the Union being followed up with the desired effect. For realizing the flattering prospects of additional strength, power, and prosperity, which it holds out to the empire at large, Ireland, Sir, looks up with unbounded confidence to the exertions of a Prince, whose amiable qualities have long been the idol of her warmest affections, in whose eminent talents she finds an earnest of new glories to the united kingdom, and whose knowledge and love of the constitution ensure the happiness of a grateful and united people.

The work is intended as an act of justice to the Irish nation. It would have been useless, had Great Britain learned from the illustrious example of your Royal Highness to appreciate that people with the discriminating judgment and sympathy, which have so deservedly endeared them to you. We are now one people, and that we may ever be one in affection as well as interest was the motive for undertaking this work, which, with your gracious permission, is most humbly inscribed to your Royal Highness by

THE AUTHOR.

CONTENTS

OF THE

FIRST VOLUME.

PRELIMINARY CHAPTER.

LELAND's difficulties of writing Iriſh hiſtory impartially, *Note* — Page 1

National characteriſtic of the Iriſh—Sir John Davis's honorable teſtimony of Ireland—Camden's prejudices againſt the Iriſh — — — 3

Animadverſions of Sir Richard Muſgrave on a former publication of the author's, *Note* 4

Marquis Cornwallis diſclaims Sir Richard Muſgrave's dedication—Leland's deſcription of the Iriſh — — — — — 5

Great antiquity of the Iriſh—Gerald Barry's (Cambrenſis)—His miſrepreſentations of the Iriſh—Antiquity of the Iriſh language and arms—The Iriſh called Scoti or Scythians 6

James the Firſt of England boaſts his Iriſh origin—Identity of the Carthaginian and Iriſh tongue — — — — — 7

Mileſian race—The King of Ulſter boaſts in *1170*, of an uninterrupted ſucceſſion of 197 kings—Diviſion of the iſland into four provinces—Provincial kings paying tribute to the ſupreme monarch — — — — — — 8

Meath allotted for the demeſne of the monarch and taxes voted for him—The family pride of the Iriſh even in extreme indigence—Cauſe thereof—Monarchy eligible within the ſept and under conditions — — — — — — 9

Their original inſtitutions afford motives for union with Great Britain — — 10

The petty kings of diſtricts held under provincial kings as thoſe did under the monarch—Averſion of the old Iriſh from trade or mechanicks, *Note*—Attachment of the Iriſh people to their religion as taught by St. Patrick. — — — 11

Each ſovereign had his particular order of chivalry, &c.—Apprehenſions of reſumption unfounded—Falſity of Doctor Borlaſe's hiſtory — — — 12

Nature of Iriſh gavelkind—The caunfinny or chieftain — — — 13

Tanniſtry defined—Sir John Davies' report of a caſe of tanniſtry—Foſtering and intermariages with the Iriſh declared treaſon by ſtatute—Inſtitution of Fes at Teamor or Tarah, or ſtates of Ireland — — — — — — 14

Triennial aſſemblies by Ollamh Fodhla—Ceremonials, order of precedence, and nature of the buſineſs tranſacted in thoſe aſſemblies—Early traces of heraldry and authenticity of Iriſh hiſtory—Pſalter of Tarah — — — 15 and 16

Ravages of the Danes during the ninth and tenth centuries — — 16

Annals

Annals of Ireland fabulous and why—The private hiſtory of Iriſh families compoſed by their rymers and harpers—The Iriſh held muſic and poetry in high eſteem — — 17
The bards or poets amongſt the ancient Iriſh acted as heralds, &c. &c.—Iriſh excel in gymnaſtic exerciſes—Agriculture not much attended to by the natives—Account of the bogs in Ireland — — — — — 18
Ireland ſuperabounds with mines—St. Patrick ſent to convert the Iriſh by Pope Celeſtine—The Iriſh church connected with Rome — — — — 19
Rapid progreſs of the Goſpel—St. Patrick ſummoned to aſſiſt at the aſſembly of Tarah—Appointed of the committee of nine to reform the civil hiſtory, &c. — 20
Seminaries of learning in Ireland according to venerable Bede—King Alfred educated there—Various other teſtimonies on the ſame ſubject—Great hoſpitality of the Iriſh — 21
Rank of the Iriſh kingdom acknowledged — — — — 22
The Iriſh remarkable for their love of impartial juſtice certified by Finglaſs, Sir John Davis, and Sir Edward Coke — — — — 22 and 23

PART THE FIRST.

CHAPTER I.

BRIEF review of the preceding chapter—Ireland always ſubject to internal diſcord 25
Roderick O'Connor elected monarch—Solicited by O'Rourke to obtain juſtice of Dermod, King of Leinſter—Dermod applies to Henry the Second—Pope Adrian's bull—Alexander the Third's bull—Purity of blood a fundamental law, *Note* — — 26
Submiſſion of the Iriſh church to the ſee of Rome—Uſhers remarks—The four archbiſhops of Ireland receive palls from Cardinal Paparon—Adrian's abuſe of his power — 27
The Iriſh reſiſt this mock donation—Dermot applies to Henry in Aquitaine—Returns to Briſtol with credentials—engages Richard, Earl Strongbow and others—Promiſes his daughter to the earl, the city of Wexford to the other adventurers — — 28
Dermot reinſtated in his dominions—The perſonal preſence of Henry in Ireland—Maſſacre of Iriſh priſoners of war — — — — 29
The Iriſh nation did not oppoſe the invaſion—Some ſepts did—Effect of the pope's bull upon the Iriſh clergy—Peace granted by Roderick to Dermod — — 30
The princes of Munſter the firſt to ſubmit to Henry—Strongbow does homage for Leinſter—Meeting of Henry and Roderick on the banks of the Shannon—Treaty of Windſor—Henry acknowledged lord of Ireland—Remonſtrance of the Iriſh preſented to Pope John XXII.—Bruce invited from Scotland—The battle of Athenree in 1315 — 31
The hatred of the Iriſh to the Engliſh not the effect of a difference in religion for 400 years previous to the reformation — — — — 32
Henry diſpoſſeſſes the Iriſh chieftains — — — 33
Bad conſequences of this ſyſtem—The pale or extent of Engliſh dominion — 34
The Engliſh ſettlers govern by Engliſh laws, the Iriſh chieftains by their own 34 and 35

Policy

Policy of England to create diviſions—Diſtinction of Engliſh rebels and Iriſh enemies obſerved in the ſtatutes of Kilkenny and ſo far down as the reign of Henry VIII. — 35
The union deſtroys the pernicious effects of a diſtinction of Iriſh and Engliſh blood—Sir John Davis's opinion of this bad policy—General petition for naturalization preſented by the Iriſh to Edward III.—An inſurrection in conſequence of a refuſal to the petition 36
Reflections of Sir John Davies upon the oppreſſive government of the Engliſh in Ireland—All Ireland prematurely cantoned out between ten Engliſh families — 37
The Engliſh grantees exerciſe ſovereign juriſdiction in Ireland—The natives dwelling upon the granted lands reduced by the grantees to the condition of villains or ſlaves — 38
The Engliſh ſettlers, according to Sir John Davies, oppoſe an union with England—The power of making war and peace—Its influence and bad conſequences—The killing of a mere Iriſhman no felony — — — — — 32
Statutes of *Trim* obliging the Iriſh to ſhave their beards—Statute of Henry VI. 1450 for authorizing and rewarding murder upon mere ſuſpicion without trial — 40
Oppreſſive ſtatutes of Kilkenny quoted by Sir John Davies — — 41
Coygne and livery or free quarters — — — 42
Thomas, Earl of Deſmond in the reign of Edward II. eſtabliſhes coygne and livery—Doctor Leland's opinion of this cuſtom — — — — 43
One continued ſcene of warfare between the Engliſh and Iriſh for 400 years previous to the reformation — — — — 44, 45

PART THE SECOND.

CHAPTER I.

Reigns of Henry VIII. Edward VI. and Queen Mary.

THE 20th of Henry VIII. anno 1528, the beginning of the reformation—Error of attributing the ſtrifes in the ſtate to religious differences — — 47
Earl of Kildare, lieutenant of Ireland, affects the ſtate of an Iriſh chieftain—His daughters married to O'Connor and O'Carrol—Effects thereof—Cardinal Wolſey's animoſity againſt Kildare, *Note* — — — — — 48
The Earl commits the government to his ſon Lord Thomas when ſummoned to England—Report of the earl's execution in England occaſions a rebellion of the Geraldines—O'Neile and O'Connor ſubmit to the king—Lord Thomas upon a promiſe of pardon repairs to England, is arreſted on the way, ſent to the Tower and executed—The five uncles of Lord Thomas treacherouſly arreſted by Lord Gray, ſent to England and executed — 49
Lord Gerald a younger branch of the Kildare houſe conveyed to Italy, educated by Cardinal Pole and reſtored to his blood—Allan, Archbiſhop of Dublin, his patron Wolſey's agent in the ſuppreſſion of monaſteries—Wolſey's death—Allan's rancour againſt the Geraldines 50
Maſter of the Rolls makes a report of the miſerable ſituation of the pale — 51
Lord Cromwell ſent Brown a reformed Auguſtine friar into Ireland to be Archbiſhop of Dublin—Tenacity of the Iriſh to their ancient religion — — 52

Cromer,

Cromer, Archbiſhop of Armagh, refuſes to acknowledge the king's ſupremacy—The king's vicar treated with contempt—Archbiſhop Browne treated with diſdain—Extreme ignorance of the clergy —— —— —— —— —— 53

Lord Grey receives a commiſſion to aſſemble a parliament, 1536—The Iriſh ſtatutes in matters of religion copied from thoſe of Weſtminſter—The king declared ſupreme head of the church —Appeals to Rome prohibited—The maintainers of the pope's ſupremacy made ſubject to a *præmunire*—Some monaſteries ſuppreſſed—All officers required to take the oath of ſupremacy —— —— —— —— —— 54

Marriage with Queen Catharine declared null and the effects thereof—No eccleſiaſtical preferment granted but to ſuch as ſpoke the Engliſh language—Ordinance reſpecting the mode of educating the poor —— —— —— —— 55

Act for the attainder of Earl of Kildare—Mode of introducing the reformation condemned by the Earl of Clare in 1800—Act for preventing two proctors from each dioceſe attending parliament as formerly —— —— —— —— 56

Browne's arguments in ſupport of the king's ſupremacy—Oppreſſive acts of the parliament 57

Religious perſecution a new bond of union among the Iriſh chieftains —— 58

Cromer's ſecret practices againſt Archbiſhop Brown—The clergy of Dublin oppoſe the removal of the images—Several clergymen reſign their livings—Lord Gray burns the cathedral of Down and deſtroys the ancient monuments —— —— —— 59

The Archbiſhop complains of the difficulties he meets with—O'Neil, O'Brian, &c. riſe in arms 60

Henry beſtows titles and honors—The king grants an houſe to each new created earl—They ſurrender their eſtates and receive new grants on condition of military ſervice—A liſt of ſeveral chieftains, *Note* —— —— —— —— —— 61

The king takes the title of king of Ireland—A parliament ſummoned to confirm the new title—A forty ſhilling freehold enacted a requiſite to vote at elections for members to ſerve in parliament—Reſidence of the borough members neceſſary—The priory of Kilmainham and ſeveral religious houſes ſuppreſſed —— —— —— —— 62

The county of Meath divided into two ſhires—Engliſh laymen only enabled to be appointed deputies or lords lieutenants—State ordinances for thoſe parts of the kingdom without the pale —— —— —— —— —— 63

Theſe laws publiſhed 12th July, 1582—A perſpective of Ireland by Sir John Davies. 64

O'Neil and other chieftains propoſe terms to the French—The Biſhop of Valence ſent to Ireland—This prelate's diſappointment—Henry takes a corps of Iriſh infantry to France—Their conduct there—Becomes unpopular within the *pale*—Orders baſe money to be coined 65

Encroachments upon the rights of the native Iriſh during the reign of Edward VI.—O'Moore O'Byrne, and O'Connor take arms—Are ſubdued by Sir Anthony Bellingham—The Earl of Deſmond taken and conducted priſoner to Dublin—Releaſed—Bellingham recalled to take his trial in England, dies on his way —— —— —— 66

The protector proceeds with the work of reformation—Royal proclamation ſent to Ireland enjoining the reception of the new Liturgy—Dowdal, Archbiſhop of Armagh, oppoſes it—Diſputation in St. Mary's Abbey Dublin—Iſſue thereof—Not more than four biſhops with Archbiſhop Browne obey the proclamation —— —— —— 67

John Bale appointed to the ſee of Oſſory—His violent temper and great learning—Five of his domeſtics

of his domeſtics ſlain—Uſeleſs application of the deputy to have the Engliſh laws extended to the native Iriſh — — — — — 68

Inſurrection of Tyrone—Aſſumes the name of O'Nial—Death of Edward VI.—Mary upon her acceſſion to the throne, firſt by proclamation, next by parliament, annuls all the innovations in religion and church diſcipline—Proteſtant biſhops deprived—Church poſſeſſions alienated—Confirmed by parliament and the pope to the holders — — 69

A ſubſidy granted to the queen for expelling the Scotch mercenaries out of Ireland—Earl of Suſſex reduces into ſhire land *Leix and Offaly*, the territories of the O'Moors and O'Connors called thenceforth Queen's county and King's county—Act to authoriſe the lord chancellor to divide and limit the Iriſh territory — — — 70

Tranquillity of Ireland upon the reſtoration of the ancient worſhip but of ſhort duration—The Iriſh though pleaſed with the reſtoration of religion, yet diſpleaſed at the civil government of Queen Mary — — — — 71

CHAPTER II.

Reign of Elizabeth.

QUEEN Elizabeth's acceſſion—The Earl of Suſſex continued in the lieutenancy—The pacific diſpoſition of the natives—The queen declares for the reformation—General diſcontent without the pale—Survey of all the lands in Ireland—General diſpoſition to revolt 72

The inſurrection of John O'Nial—Spiritual juriſdiction reſtored to the crown—The acts of Mary repealed—Forfeiture of twelve-pence for each *default* in not reſorting to eſtabliſhed church—All collations to vacant ſees in the gift of the crown—Effects of the new laws — 73

O'Nial murdered by the Scotch—Parliament convened, ſets two years—By its rigorous ſtatutes encreaſes the diſcontent—Extract from Lord Clare's ſpeech thereupon, *Note* — 74

Conteſt of Stanyhurſt and Barnewall for the office of ſpeaker — 75

The judges conſulted—Their deciſion — — — 76

Hooker member of this parliament—Act of attainder of Shane O'Neile—Impolitic preamble of the act to inſult and provoke the Iriſh with fable of King Gurmonde—Inſurrection of Deſmond and Clanricarde—Attempts of Sir Thomas Smith and of the Earl of Eſſex to ſettle Ulſter—Sir William Sydney impoſes an unconſtitutional tax—Remonſtrances againſt it—Sir W. Sydney ſupports it — — — — 77

The remonſtrants againſt the new tax, viz. Lords Baltinglaſs, &c. impriſoned in the Fleet—Orders ſent to Sydney to confine and diſmiſs from office, if any they poſſeſſed, all oppoſers of the queen's mandates—The agents removed to the Tower—General alarm—The agents ungraciouſly diſmiſſed—Inſurrection of Deſmond not ſubdued — — 78

A ſmall body of Spaniards land in Kerry—Surrender by capitulation, and they are afterwards maſſacred in cold blood by orders of Sir Walter Raleigh—Baron of Lixnaw revolts—Lord Grey recalled—A general amneſty publiſhed—Deſmond taken and beheaded—Baltinglaſs fled to Spain—Sir John Perrot appointed deputy — — — 79

A parliament ſummoned—A motion from the crown party for ſuſpending Poynings's law—Oppoſition

poſition to the country party—Parliament prorogued—The ſittings reaſſumed—Attainder of Deſmond and forfeiture —— —— —— —— 80
A bill paſſed regulating the taxes on wine—Plan for planting Munſter—Various gentlemen receive grants of land—Bingham's rigorous government of Connaught —— 81
Perrot's recall and impeachment —— —— —— 82
Sir William Fitzwilliam named deputy—His corrupt government —— 83
O'Rourke takes up arms—O'Toole and O'Dogherty confined—Mac Mahon, Prince of Monaghan ſurrenders and obtains a regrant of his country and dies—His brother claims his inheritances—Is confined and executed—His eſtate parcelled to Sir Henry Bagnal and other adventurers—A general inſurrection—A commiſſion named—Peace with the Iriſh 1596 84
Diſtreſſed ſtate of Ireland—Submiſſion of Tyrone—Execution of the Earl of Eſſex—Cecil ſends articles of peace to Tyrone—Accepted—Renounces the name of O'Neale —— 85
Loſes his influence—Sues for pardon—Immenſe expences of the Iriſh war to England—The war carried on under a cloke of religion —— —— —— 86
Doctor Leland's remarks in favor of the Catholic clergy—Elizabeth's demiſe —— 87

CHAPTER III.

The Reign of James the Firſt.

ACCESSION of the Stuarts—The legiſlative and juridical power extended beyond the pale 88
James ingratiates himſelf with the Iriſh—Tyrone and Donnell come to court—Their good reception—The king's promiſe of a toleration to the Roman Catholics—They publicly perform divine ſervice—The lord deputy remonſtrates—Their anſwer—A paſſage in James's works alluded to, *Note* —— —— —— —— —— 97
Mountjoy marches an army into Munſter—The city of Waterford ſhuts her gates—He threatens ruin—Is received—The other cities of Munſter follow the example of Waterford—Remarks upon the ſtatute of uniformity paſſed under Elizabeth, why not executed during her reign, *Note* —— —— —— —— —— 98
An act of oblivion by proclamation under the great ſeal—Conditions of the oblivion—Good effects of this act—Sir John Davies's teſtimony of the diſpoſition of the Iriſh in time of peace to obey all juſt laws, *Note* —— —— —— —— 99
A commiſſion of grace to protect the ſubjects from any claims of the crown—Surrenders of lands holden by tanniſtry and gavelkind and regrants, under Engliſh tenures—Grounds of this new ſyſtem—The whole landed intereſt changed —— —— —— 100
Suppoſed partiality of the king for the Catholics—Neither Catholic, Proteſtant, or Puritan, this prince's real character—Aſcendancy of the Puritans in Ireland—Lord Belfaſt brought up in their principles —— —— —— —— —— 101
The Puritans oppoſe any indulgence to the Catholics—Solemn publication of the ſtatute of conformity with a proclamation—The bad effects of this policy —— 102
The magiſtrates of Dublin ſummoned to renounce their religion—Fined and impriſoned—The old families of the pale are alarmed—Sir Patrick Barnewall ſent to the Tower—Pretended rumors of a conſpiracy ſpread by an anonymous letter —— —— 103

Six

Six northern counties forfeited—Planted by Scots and Engliſh — 104
Diſtribution of the forfeited lands, *Note* — — — 105
Profuſe grants to Sir Arthur Chicheſter — — — 106
Religious parties run high — — — — 107
After a lapſe of 27 years James convenes a parliament—Firſt eſtabliſhment of Proteſtant aſcendancy—Some of the lords of the pale remonſtrate — — 108
The lord deputy creates forty new boroughs—Sir John Davies elected ſpeaker—Number of the lords and commons—The Catholic party ſecede—They ſend their grievances to the king 109
Determination of theſe grievances referred to the privy council — 110
Impriſonment of Sir James Gough—A commiſſion of enquiry appointed—Forfeitures in Connaught — — — — — 111
Military extortions and martial law in time of peace—Eccleſiaſtical courts and privy council deciſions — — — — — 112

CHAPTER IV.

Charles the Firſt.

Warner's opinion of the infidelity of the Engliſh writers upon Ireland — 113
The Iriſh expect a toleration of religion—Catholic academy for education formed in Dublin—Inſincerity of Charles — — — — — 114
Lord Deputy Falkland's character—Offers of the Catholics for his majeſty's ſervice—Doctor Warner's remarks—*Note*—Falkland recalled—Two lords *juſtices*, Viſcount Ely and Earl of Corke, appointed — — — — — 115
The king orders ſevere perſecution of the *Catholics*—Catholic chapel of Dublin ſeized, plundered, &c. — — — — — 116
Fifteen *religious houſes* ſeized for the king—The Dublin academy given to the college—Rigorous execution of the penal laws — — — — 117
Lord Wentworth deputy—Hiſtorians differ concerning the ſtate of Ireland under the two firſt Stuarts — — — — — 118
Leland's remarks upon Wentworth — — — 119
Inſincerity of Wentworth towards the Catholics — — — 120
Lord Antrim writes to Strafford—Wentworth's haughty conduct upon landing in Dublin—He propoſes to call a parliament—His mode of conſtituting the ſame — 121
His letter to Secretary Coke—Subſtance of his ſpeech to parliament — 122
The Iriſh deceived by the king and miniſter — — — 123
The commons vote ſix ſubſidies—He refuſes to tranſmit a remonſtrance to the commons 124
He ſets about annulling all titles in Connaught—His own account of his preparations—the jury of Galway refuſes to obey his mandate—He fines and impriſons them — 125-6
The king approves his conduct — — — — 127
He is recalled—Created Earl of Strafford, and honored with the Garter—Confirmed in the lieutenancy of Ireland—Raiſes a body of men, moſtly Catholics—A ſtrong remonſtrance from the commons — — — — — 128

The commons enter a proteſtation againſt his conduct—Are joined by the lords—Strafford recalled, tried and executed—Alluſion to the king's ſpeech upon his conduct —— 129
Sir Henry Wandſworth appointed to the government of Ireland—Lord Dillon and Sir William Parſons lords juſtices —— —— —— —— 130
The king writes to the lords juſtices—The parliament adjourns—A proclamation of his majeſty's grants—The great rebellion breaks out—Aſcendancy of the Puritan party—The Puritans dread the loyalty more than the religion of the Catholics—The Iriſh Catholics firſt and laſt in arms for the ſupport of the king —— —— —— —— 131
Conduct of the Puritans—The lords juſtices renew the perſecutions againſt the Catholics 132
The Scotch covenanting army publiſh reſolutions with their brethren the Puritans—Some of the Northern Catholics aſſociate, and arm for ſelf-defence—Lord Clanricarde's report of the ſtate of things—His majeſty's opinion of the rebellion —— —— —— 133
The Scotch covenanters receive 200,000*l.* to return to their own country—Various cauſes of the rebellion —— —— —— —— —— —— 134
A remonſtrance from Cavan ſuppoſed to be drawn up by Biſhop Bedel—*Note* —— 135
Proclamation of the lords juſtices, branding Catholics as rebels—Explanatory proclamation 136
Various accounts of the numbers maſſacred—*Notes* —— —— 137
Borlaſe repreſents the inſurgents as a tumultuous ill-armed rabble, &c.—The rebels in the North defend the moleſting the Scotch —— —— —— 138
Doctor Warner's ſtatement of *the conduct* of the juſtices —— —— 139
Commiſſion to Phelim O'Nial proved a forgery—The lords of the pale apply to government for redreſs—The Earl of Caſtlehaven impriſoned—Sir John Read put to the rack —— 140
The oath of confederacy of the Catholics—The king's commiſſion to confer with the Confederates —— —— —— —— —— —— 141
Marquis of Ormond's character—Sir William Parſons ſuperſeded —— —— 142
Hoſtile diſpoſitions of the Marquis of Ormond towards the Catholics —— 143
Sir Henry Ticheborne's hiſtory of the ſiege of Drogheda—Ormond rejects every propoſal of the confederates —— —— —— —— —— —— 144
Ormond obtains from the confederates a ſupply of 30,000*l.* —— —— 145
The ceſſation ſigned—The Northern army reject the ceſſation, and ſoon after take the covenant —— —— —— —— —— 146
Lord Inchiquin revolts againſt the king—His cruelties in Munſter—The parliament of England declares againſt the ceſſation—The Engliſh parliament orders that no quarters be given to any Iriſhman bearing arms againſt the parliament—The Marquis of Ormonde created lord lieutenant—His hatred to the Catholics —— —— —— —— 147
The king ſacrifices his Catholic ſubjects to his and their enemies —— 148
Ormond acknowledges his hatred—*Note* —— —— —— 149
The king earneſtly deſires a peace with the Iriſh —— —— —— 150
Extraordinary powers granted to the Earl of Glamorgan —— —— 151
The confederates duped by the duplicity of the king —— —— 152
The confederates ſend commiſſioners to Dublin to conclude the peace—The Earl of Glamorgan confined and releaſed —— —— —— —— 153
Diviſion among the confederates—Ormond delivers the ſword of ſtate to the parliament commiſſioners —— —— —— —— —— 154

Ormond ſtipulates for the price of his treachery—The conduct of the Iriſh parliament—Ormond is expelled the caſtle by the Engliſh committee —— —— —— 155
The confederated Catholics meet again at Kilkenny—Their declaration—Ormond lands in Corke—Goes to Kilkenny—His reception there—Lord Inchiquin's army revolts and joins the rebels 156
Ormond refuſes to conclude a peace with the confederates until a few days before the king's execution —— —— —— —— —— 157
Ormond's letter to Lord Digby —— —— —— —— 158
He proclaims the Prince of Wales king —— —— —— 159

CHAPTER V.

The Interregnum and Reign of Charles the Second.

Battle of Rathmines—Ormond defeated by Jones, governor of Dublin—Charles II. writes from the Hague and approves of the peace with the Catholics —— —— 160
He is proclaimed king in Scotland—Takes the covenant—Publiſhes a declaration —— 161
Charles Coote, Lord Mountrath, and Lord Broghill join the regicides —— 162
Meeting of Cromwell and Lord Broghill, *Note* —— —— —— 163
The Catholics ſhocked at the king's conduct —— —— —— 164
All Catholics ſerving under Ormond are excommunicated—A like anathema pronounced againſt the enemies of the king, &c.—Ormond quits Ireland—Leaves the command to the Earl of Clanricard—The treaty pending with the Duke of Lorrain —— —— 165
The Iriſh Catholics the laſt who ſubmitted to the regicides—A proclamation of the deputy and excommunication of the biſhops —— —— —— —— 166
Defence of Drogheda againſt Cromwell—*Maſſacre* of the garriſon —— 167
Lord Clare's portrait of *Ireland at this* period —— —— —— 168
State of the *Iriſh Catholics at* the reſtoration—Stuart ingratitude depicted at the reſtoration 169
Broghill created Earl of Orrery, and Coote Earl of Mountrath—New parliament confirms the uſurpations and acts of the regicides —— —— —— —— 170
Cruel treatment of the Iriſh Catholics—A royal proclamation for proſecuting all Iriſh rebels—Bramhall, archbiſhop of Armagh, ſpeaker of the upper houſe, or Lords —— 171
The Duke of Ormond reſumes the government of Ireland—The court of claims eſtabliſhed by him 172
Lord Clare's opinion in his ſpeech in the Houſe of Lords —— —— 173
Statement of Ormond's eſtate before and after the rebellion, *Note* —— 174
Ormond diſcarded through the intrigues of the Duke of Buckingham —— 175
Succeeded by Earls Robarts and Eſſex, and reſtored to the government —— 176

CHAPTER VI.

James the Second.

EXULTATION of the Catholics—State of the Proteſtants of Ireland, &c. by Doctor King—Anſwered by Leſley, *Note* — — — — 177
The Earl Clarendon ſucceeds to the government of Ireland—Clarendon complains of Tyrconnel 178
Tyrconnel prevails with the king to conſent to a repeal of the act of ſettlement—The whole of the Proteſtants of Ireland aſſociate againſt the king — — — 179
Obſervations on the neceſſity of an incorporate union — — 180
Independence of Ireland—The Proteſtants in the North of Ireland take arms againſt the king before his abdication — — — — — — 181
Neceſſity of attending to the dates, *Note* — — — 182
Tyrconnel ſummons the loyaliſts to arm—An army of 30,000 men raiſed for King James 183
James lands at Kinſale—Proceeds to Dublin, is received as king—Iſſues ſeveral proclamations—40,000 men under Schomberg lands — — — 184
The Iriſh Proteſtants ill-treated by Schomberg's army — — — 185
Critical ſtate of Ireland — — — — 186
Act of William to annull all the acts of James II. — — 187
Remarks upon James's diſlike of the Iriſh — — — 188
Alluſion to the acts of attainder and repeal of the acts of ſettlement — — 189
The conteſt only between Jacobites and Williamites—An act for the improvement of trade, and navigation in Ireland — — — — 190
Battle of the Boyne — — — — 191
An extract from Lord Clare's ſpeech — — — — 192

PART THE THIRD.

CHAPTER I.

The Reigns of William and Mary, and William.

Ireland treated as a conquered country by the Engliſh government — 195
Articles of Limerick infringed — — — — 196
No civil rights ſecured to the Iriſh by the revolution—Uſurpation of the Engliſh parliament 197
Iriſh whigs monopoliſts of powers — — — 198
Lord Sydney created lord lieutenant — — — 199
The Iriſh Houſe of Commons reſent the encroachments upon their rights — 200
Sydney's conduct occaſions diſcontent—He is recalled—The government of Ireland veſted in three juſtices.

juſtices, Lord Capel, Sir Cyril Wyche, and Mr. Duncombe—Wyche and Duncombe recalled—A parliament convened—Several new penal ſtatutes againſt the Catholics—Sir Charles Porter the chancellor ſupports the articles of Limerick — — — 201
The Catholic petition rejected, *Note* — — — 202
Molyneux member for the univerſity of Dublin publiſhes the Caſe of Ireland — 203
Predominancy of the power of England in Ireland—The *Caſe* of Ireland condemned by a committee of the Engliſh Houſe of Commons — — — — 204
Exportation of wool or woolen manufactures prohibited by the Engliſh legiſlature 205
The Engliſh parliament in ſpite of the king paſs an act of reſumption of the forfeited eſtates granted by him — — — — — 206
The rights of Ireland overlooked in the conteſt between the king and Engliſh parliament 207
The king's diſpleaſure in his ſpeech — — — — 208
The death of the Duke of Glouceſter occaſions the paſſing of an act for calling in the houſe of Hanover—Death of the king — — — — — 209

CHAPTER II.

The Reign of Queen Anne.

Anne the laſt of the Stuart Line—No effort made in Ireland ſince the acceſſion of the Houſe of Hanover to reinſtate the Stuarts—The queen's inconſtancy in politics—Exerciſes her intereſted zeal in oppreſſing the Catholics of Ireland — — — 210
The act paſſed for preventing further growth of Popery—Several members reſign their ſeats 211
The Engliſh teſt act in all its rigors becomes a ſtatute *law* for Ireland — 212
Lords Kingſland and other Catholics *petition* to be heard by counſel—Granted—Their arguments are diſregarded — — — — — 213
The *Diſſenters petition* againſt the ſacramental teſt—The Diſſenters withdraw their oppoſition—The Commons reſolves that the burgeſſes of Belfaſt muſt take the teſt—The Duke of Ormond grandſon to the aforementioned in this hiſtory created lord lieutenant — 214
The great advantages of an incorporate union proved from the profligacy of Queen Anne's adminiſtration—The bad effects of an Iriſh ariſtocracy — — — 215
The Iriſh no ways concerned in the rebellions of 1715 or 1745—Addreſs of the commons of Ireland againſt James duke of Ormond — — — 216
Penal laws executed to the utmoſt rigor—Roman Catholics conſidered as enemies until the reign of George III. — — — — — 217
An union with England ſolicited an. 1703, by a reſolution of the Iriſh peers—Lord Clare's inferences from what followed this addreſs — — — — 218
The Iriſh Catholics conſidered as the common enemy in the various addreſſes of the commons 219
Earl of Wharton created lord lieutenant—His character by Swift — 220
The adulation of the Iriſh commons of this profligate chief governor—The Iriſh Catholics conſidered nul in the nation — — — — 221
The lords preſent a petition to her majeſty complaining of the Earl of Wharton's indulgence to the Preſbyterians of the North — — — — 222

The

The tories gain an aſcendancy in the Houſe of Lords — — 223
The lords' petition analyſed — — — — — 224
Proteſtant aſcendancy in Ireland tinctured with puritanic principles — — 225
The Puritans affect the appellation of *Whigs* — — — — 226
The Duke of Shrewſbury joins the Whigs—Parliament diſſolved—Convened—The commons vote a ſevere addreſs to the queen againſt Sir Conſtantine Phipps — — — 227
The queen's anſwer dated Windſor, 13th October, 1713 — — — 228
The Engliſh parliament avowedly legiſlate for Ireland in the ſchiſm act—Sir Joſeph Jekyll's oppoſition — — — — — — 229
Great debates in the Houſe of Lords — — — — 230
Mr. Bromley, the principal ſecretary of ſtate, upon the third reading of the ſchiſm bill ſeverely animadverts upon the Diſſenters—The October club, all high churchmen, joins adminiſtration 231
A conteſt between the lords and commons about Sir Conſtantine Phipps the chancellor 232
A reward for apprehending the pretender — — — 233
The petition of George, duke of Cambridge — — — — 234
Effects of this petition upon the queen and counſel, *Notes*—Two curious letters of the queen 235
Demiſe of the queen — — — — — 236

CHAPTER III.

The Reign of George I.

Various opinions upon the Lords Bolingbroke and Oxford—The Whigs gain a decided aſcendancy in every department—The parliament of Ireland convened—Partiality for the Houſe of Hanover 237
A ſtrong addreſs from the commons, praying his majeſty to remove the Earl of Angleſey 238
Dean Swift's letter to the Archbiſhop of Dublin — — — — 239
Ireland peaceful during the rebellion of 1715 — — — — 240
The Catholics more perſecuted during the reign of Queen Anne than ever before her acceſſion—Reſolution of the commons to put the laws againſt Papiſts into execution — — 241-2
A reſolution of the commons of Ireland proving their partiality to the Iriſh Diſſenters 243
Several Catholic lords arreſted as ſuſpected—Caſe of Sherlock and Anneſley upon the appellant juriſdiction — — — — — — — 244
Repreſentation of the Iriſh lords — — — — — 245
The Engliſh lords bring in a bill for ſecuring the dependency of Ireland — — 248
A fleet equipped in Spain to favor the Pretender, commanded by Ormond — — 249
Diſperſed by a ſtorm — — — — — 250
The Duke of Grafton's ſpeech upon cloſing the ſeſſion — — — 251
The commons reſolve upon the heads of a moſt cruel bill for preventing the further growth of Popery — — — — — — — — 252
Political principles of the Iriſh government — — — — 254
Primate Boulter's correſpondence, *Note* — — — — 255

Swift's

Swift's publications and patriotiſm — — — 258
The patriots oppoſe with ſucceſs the circulation of Wood's copper coin — 259
The Iriſh parliament addreſs the king — — — — 260
Demiſe of George I.—His character — — — 261

CHAPTER IV.

The Reign of George II.

The Catholics preſent an addreſs of congratulation to be tranſmitted by the lords juſtices—Never anſwered—Boulter continues to maintain an Engliſh aſcendancy in Ireland — 262
Roman Catholics disfranchiſed—References and extracts of Primate Boulter's letters to the Duke of Newcaſtle — — — — — 263
Boulter's pride to ſupport the Engliſh intereſt — — 264
The addreſs cauſes a diviſion among the Catholics — — 265
The wretchedneſs of the poor and accumulated national debt — 266
The commons frame various reſolutions, ſuch as a national bank, granaries, &c.—Lord Carteret's adminiſtration — — — — 267
Firſt coalition between Iriſh Proteſtants and Catholics dreaded by government — 268
The disfranchiſing clauſe brought in by ſtealth — — 269
The prime miniſter Boulter only occupied in encreaſing the wealth of the church, and keeping up an Engliſh aſcendancy — — — 270
Boulter acknowledges that the Catholics are five to one Proteſtant — 271
Broderick appointed to a commiſſion of the cuſtoms in England — 272
Alarm of Boulter upon this nomination—The *Engliſh intereſt* oppoſe the reſtoration of the Clancricard forfeitures—The ſame intereſt *get the* commons of Ireland to vote an addreſs to the king beſeeching him to withhold *his diſpoſition* of reſtoring any forfeitures whatſoever 273
Primate *Boulter governs in reality* during the whole of Lord Carteret's adminiſtration 275
Boulter gives a melancholy picture of Ireland, and enlarges upon the emigrations 276
Great ſcarcity in the North, and corn purchaſed in Munſter for its relief, which occaſions ſeveral riots 277
Great emigrations from the North—The Diſſenting miniſters preſent a memorial 278
National debt of Ireland but 16,106*l.* 11*s.* 0½*d.*—Continued poverty of Ireland — 279
The patriots gain a ſuperiority in the Houſe of Commons — — 280
The Duke of Dorſet's adminiſtration continued — — — 281
The Duke's teſtimony of the peaceable conduct of the Iriſh — — 283
Adminiſtration of the Duke of Devonſhire—Primate Boulter ſtill conducts the Iriſh cabinet 284
The cries againſt Papiſts and Popery in Ireland excited by the ſelf-intereſt of a few individuals 286
Primate Boulter's letter to the Biſhop of London — — 287
The Iriſh cabinet at variance with the Engliſh — — — 288
Lord Clancarthy's attainder confirmed — — — 289
Earl of Cheſterfield, lord lieutenant — — — 290
Iriſh regiments in the French ſervice — — — 290–1

Moderation of the Earl of Chefterfield's government — — 292
Not one Catholic in Ireland accufed of rebellion during the commotions of 1745 — 293
Primate Stone's teftimony of Iriſh Catholic loyalty — — 294
Lord Chefterfield addreſſes the parliament — — — 295
He orders the places for Catholic worſhip to be opened — — 296
Union of all ſects and parties under his adminiſtration — — 297
The good effects of abilities in the government exemplified — — 298
Earl of Chefterfield recalled ſoon after the battle of Culloden — — 300
Earl of Harrington appointed lord lieutenant—The queſtion about the privileges of the corporation of Dublin ſtarted — — — — 301
Doctor Lucas, O'Connor, &c. publiſh their opinions — — 302
Lucas publiſhes his diſcoveries — — — — 303
Lucas declared an enemy to his country and flies—Upon a new vacancy for Dublin he returns and is elected—Stone, Biſhop of Derry, ſucceeds Primate Boulter — — 304
This prelate's character — — — — 305
Trade of the country encreaſed—Diſcuſſion between the crown and the patriots about the diſpoſal of the ſurplus of the revenues — — — 306
The patriots carry their point—Diſpoſe of the ſurplus afterwards yearly in public works, &c. without the conſent of the crown—Bad effects of this policy—This kind of vicious adminiſtration removed by the union — — — — 307
The Duke of Dorſet's ſpeech from the throne — — 308
Mr. Nevil, Engineer General, accuſed of embezzlement of the public monies, convicted and caſhiered — — — — 309
Primate Stone unpopular from his vices and policy—Lord George Sackville appointed ſecretary—The haughty demeanour of this young nobleman — — 310
Diſcuſſions of the ſeſſion, 1753 — — — 311
All ſervants of the crown who joined the patriots were diſmiſſed from office — 312
The Earl of Kildare petitions the king — — — 313
The ſpeaker of the Houſe of Commons promoted to a peerage by the title of Earl of Shannon 314
Primate Stone ſtruck off the liſt of the council — — — 315
Duke of Devonſhire appointed lord lieutenant—Returns to England, 1756, the ſerment ſubſides 316
The Houſe of Commons in a committee conſider upon the heads of a bill for ſecuring the freedom of that houſe againſt the influence of the crown — — 317
Reſolutions of the ſaid committee — — — — 318
Said reſolutions preſented to the lord lieutenant — — — 319
The Duke of Bedford appointed lord lieutenant—The apprehenſion of further perſecutions engage ſome Catholic gentlemen to meet—Diverſity of opinions on their political rights — 320
Declarations of the principles of the Catholics—A firſt meeting of the Catholics where a committee is formed—Mr. Wyſe's plan preſented — — — 321
Publication of Dr. Curry's Hiſtorical Memoirs — — — 322
The lord lieutenant's meſſage to the houſe — — — 323
The Catholics of Dublin addreſs the lord lieutenant — — 324

The

The addreſs graciouſly received and read at the bar of the Houſe of Commons by orders from the chair — — — — — 325
Similar addreſſes from other parts of the kingdom—Mr. Arthur Young's portrait of Iriſh landlords — — — — — 326
The country not then ripe for an union — — — — 327
The French Breſt Fleet vanquiſhed by Admiral Hawke — — 328
Thurot lands at Carrickfergus and takes it — — — 329
Plunders the town—Re-embarks—Is attacked near the Iſle of Man by Captain Elliot—Thurot killed — — — — — 330
Thanks of the commons to Colonel Jennings for his good conduct at Carrickfergus upon the landing of the French — — — — 331
Demiſe of King George the Second, 25th October, 1760, aged 77 years — 332

CHAPTER II.

The Reign of George the Third.

THE king's ſpeech to the Britiſh parliament — — 333
General ſtate of Ireland in the year 1760 — — — 334
From the acceſſion of the Hanover family the rigor of the popery laws ſlackened by degrees 335
Firſt riſing in the ſouth of Ireland—*White Boys* — — — 336
Cauſes of the miſeries of the people—Diſproportion between the price of proviſions and that of labor — — — — — 337
Arthur Young's obſervations on theſe inſurgents — — — 338
Sir Richard Aſton, Lord Chief Juſtice of the Common Pleas, ſent upon a ſpecial commiſſion to try the inſurgents—His juſtice *and humanity* — — — 340
An account *of the trial of* the Rev. Nicholas Sheehy acquitted in Dublin, condemned in Clonmell — — — — — 341
Attempts to throw the odium of the riots upon the Roman Catholics — 343
The Houſe of Commons appoint a committee to enquire into the progreſs of the popiſh inſurrection—Rupture with Spain continued — — — 344
A meſſage for further ſupplies—Granted—A vote of credit for 500,000*l.* — 345
The various deſcriptions of inſurgents under the titles of *Oak Boys, Hearts of Steel, Peep-of-Day Boys*, and the cauſes of their exceſſes — — — 346
Lord Halifax's government ended, 1762 — — — 347
Change of the cabinet — — — — 348
Mr. Burke's remarks upon the change of miniſtry, *Note* — — 349
The merchants of Dublin preſent an addreſs to Mr. Pitt expreſſive of their gratitude 350
Mr. Burke's remarks continued, *Note* — — — 351
Doctor Lucas leads the patriots of Dublin—The ſeptennial bill rejected—The patriots loſe ground — — — — 352
Reſolutions of the merchants of Dublin, and Reſolutions of the Houſe of Commons 353

The Earl of Northumberland appointed lord lieutenant, *vice* the Earl of Halifax, recalled—His ſpeech to parliament — — — — 354
The inſurgents in the ſouth were moſtly Catholic labourers—The various denominations of inſurgents in the north Proteſtant manufacturers to a man—Every motion for enquiry into the cauſe of the troubles rejected — — — 355
A motion for regulating the penſion liſt rejected — — — 356
Mr. J. Fitzgerald leader of the patriots in the debates on the penſion and civil liſts 357
The court party accuſe him of an attack upon the prerogative — — 358
The military ſtate of the country reported — — — 359
Penſions laviſhly granted — — — — 360
Remarkable opinion of Mr. Gore, ſolicitor general — — 361
A motion for an addreſs to the throne by Mr. Perry for a diminution of expences — 363
A ſtatement of the late encreaſe of expences — — — 364
Primate Stone's Engliſh aſcendancy ſupported by the Iriſh Puritans—Mr. Maſon's obſervations upon the Papiſt lending ſecurity bills—Animadverſions upon Sir James Caldwel's pamphlet concerning the Papiſt ſecurity bill, *vide Note* — — — 366
Mr. Bagnal brings in heads of a bill for better ſecuring the liberties of the ſubject — 370
Both Primate Stone and the Earl of Shannon die—The Chevalier de St. George, only ſon of James the Second, died at Rome — — — — 372
Proofs of the venality of the Iriſh parliament — — — 375
The heads of the bill for ſecuring the freedom of parliament, &c. ſtopped by the Engliſh privy council — — — — — 376
An addreſs to his majeſty is carried by a majority of two—The addreſs anſwered not very graciouſly — — — — — 377
Two patriotic bills rejected — — — — 378
Abridged ſtatement of the Iriſh revenue — — — 379
Difference in point of law between an Engliſh proclamation and an Iriſh one—Doctor Lucas addreſſes the city of Dublin — — — — 380
Notwithſtanding the alteration made in the bill by the Engliſh privy council, the bill paſſes 381
Doctor Lucas addreſſes his conſtituents — — — 382
Lord Hertford recalled and Lord Townſend appointed lord lieutenant, 1767 — 384
Great changes under Lord Townſend—The leading grandees govern in reality — 385
Primary object of Lord Townſend's government — — — 386
Long parliaments conſidered as a national evil — — — 387
Septennial bill tranſmitted and returned octennial—The bill for the independence of judges returned with a material alteration, and therefore rejected — — 388
Effects of Molyneux's *Caſe of Ireland* — — — 389
Draper's Letters—Faulkner's impriſonment—Doctrine of libels — 390
Freeman's Journal, Hibernian Journal, Dublin Mercury, from theſe papers *Barratariana* 391
His majeſty's meſſage to the commons — — — 392
The report of the committee in anſwer to the meſſage — — 393
The firſt limited parliament meet, October, 1769 — — 394

Even

Even penſioners reſiſt the right of the Engliſh privy council to make money bills originate with them — 395
A bill of certain duties rejected becauſe it was altered in England — 396
The lord lieutenant enters a proteſt on the journals of the upper houſe, which produces a ſerious debate — 397
Woodfall's libel upon the Iriſh patriots — 398
Sir Charles Bingham's report from the penſion committee — 399
Addreſs of the commons to his excellency — 400
Anſwer delivered by Sir George Mac Cartney the ſecretary—Parliament prorogued 401
The Honorable Boyle Walſingham's motion in the Britiſh Houſe of Commons on the prorogation of the Iriſh parliament — 402
Lord North replies — 403
Encreaſe of the national debt — 404
The lord lieutenant meets parliament, 26th of February, 1771—Mr. Edmund Saxton Perry, ſpeaker — 405
Reſignation of the chair by Mr. J. Ponſonby — 406
A motion in the Houſe of Commons for an addreſs to his majeſty, loſt — 407
Both houſes addreſs the king — 408
Proteſt of ſixteen peers — 409
Names of the proteſting peers — 410
Extract from the lord lieutenant's ſpeech, 1771 — 411
An inſurgent reſcued from the barracks of Belfaſt by the Steel Boys — 412
None of the inſurgents convicted either in Carrickfergus or Dublin — 413
The conduct of the Proteſtants — 414
An additional bounty to Popiſh prieſts converted — 415
An act for the reclaiming unprofitable bogs — 416
Lord Harcourt appointed, *October, 1772* — 418
He *meets parliament, 12th, 1773* — 419
Perry the ſpeaker, ſpeech at the bar of the lords — 420
Lord Harcourt adopts more moderation than his predeceſſor — 421
An abſentee tax propoſed by government rejected — 422
The plan of tontine for raiſing the ſum of 650,000*l.* — 424
Stamp duties introduced — 425
Heads of a bill for ſecuring the repayment of monies advanced by Papiſts to Proteſtants—Heads of a bill for granting leaſes of lives to Papiſts—Both plans remain without any progreſs 426
A bill paſſes both houſes entitling all and every of his majeſty's ſubjects to teſtify their allegiance 427
Mr. Rigby, Maſter of the Rolls in Ireland, opinion concerning the right of England to tax Ireland — 428
The effects of an embargo upon commerce — 429
The Britiſh miniſter moves for a committee of the whole houſe to conſider the Iriſh fiſheries 430
The Committee grant bounties for the whale fiſheries—Take off the duties upon oil, bone, and blubber — 431
Lord lieutenant's meſſage to the Iriſh Commons — 432

Admiſſion

Admiſſion of foreign troops rejected — — — 433
The additional duty bill upon beer, &c. rejected on account of certain alterations in England—A motion to addreſs his majeſty — — — 434
The above addreſs loſt — — — — 437
An addreſs to the lord lieutenant—The people of Ireland partial to America from ſympathy 439
Lord Effingham's reſignation of his ſtation in the army—The city of Dublin vote him thanks, *Note* — — — — — 440
State of the expences for the laſt two years—This octennial parliament diſſolved, only four years old — — — — — 441
Thomas Townſend's (Lord Sydney) motion in the Engliſh Houſe of Commons againſt the Earl Harcourt—This motion rejected after a long debate — — 444
Sawbridge, mayor of London, moved in the Houſe of Commons, that the American colonies be put on the footing of Ireland—Extraordinary promotion to the peerage — 445
Lord Buckinghamſhire appointed lord lieutenant—Mr. Heron his ſecretary—His lordſhip's ſpeech to parliament in October 1777 — — — 446
Grievances deſcribed in the petitions of the cities of Cork and Dublin — 448
Increaſe of expenditure upon the civil liſt — — 450
Reſolutions of the Houſe of Commons — — — 451
Official communication of the treaty between France and the American colonies — 454
The anſwer of the commons to this meſſage — — 455
Reſolution for raiſing 300,000*l.* per tontine — — 456
A meſſage from the lord lieutenant to the commons — — 457
Firſt conceſſion to Roman Catholics under Lord North's adminiſtration — 458
A committee of the Engliſh Houſe of Commons examine the acts of parliament relating to the Iriſh trade — — — — 459
Debate upon Earl Nugent's motion in favor of the Iriſh trade — — 460
Mr. T. Townſend wiſhes for further indulgencies to the Iriſh Roman Catholics—Lord North acknowledges himſelf a friend to any motion tending to their relief—Sir George Saville moves for leave to bring in the heads of a bill to repeal certain penal laws againſt Popery in England 461
Obſervations favorable to the Iriſh Catholics during the debate — 462
Mr. Gardiner moved for leave to bring in the heads of a bill for the relief of his majeſty's Roman Catholic ſubjects of Ireland—Leave granted—A motion of Sir Edward Newnham in favor of the Diſſenters loſt — — — — 463
After a ſevere conteſt the Catholic bill ſucceeds — — 465
The ſeſſion terminates the 14th Auguſt—The Iriſh trade bill is violently oppoſed in the Engliſh Houſe of Commons — — — — 466
Mr. Burke's anſwers to all the objections againſt this bill — — 467
Lord Nugent deſcribes the diſtreſſes of the common people of Ireland — 471
Lord Beauchamp joins Lord Nugent — — — 472
Lord Nugent moves for the eſtabliſhment of a cotton manufactory in Ireland, and liberty to import cotton yarn into England from the ſiſter kingdom — — 473
Colonel Stanley and Sir George Younge appear hoſtile to the meaſure—Mr. T. Townſhend ſupports Lord

Lord Nugent—Lord Newhaven eſtabliſhes the average of the imports and exports from England to Ireland, and *vice verſa* — 474
Moves for leave, &c. to import Weſt India ſugars into Ireland—Debates on the ſubject—Lord North communicates to the Engliſh commons the king's proclamation confirmative of the miſerable ſtate of Ireland—Sir George Younge ſtates the quantity of ſugar imported annually into Great Britain — 475
Debates upon the ſugar importation bill — 476
Motion of Lord Shelburne in the Engliſh Houſe of Peers for an addreſs to his majeſty 477
Lord Weymouth oppoſes the motion as implicating the miniſtry — 478
The amendment for deferring the addreſs to the enſuing ſeſſion—Carried after a long debate 484
Reſolutions of the city of Dublin — 485
Reſolutions of the city of Waterford — 486
Firſt aſſociations of volunteers and progreſs — 487
The lord lieutenant's ſpeech to parliament — 488
Mr. Grattan's obſervations thereupon — 489
Grattan's amendment to the addreſs is carried after a warm debate — 490
The weakneſs of the Iriſh government — 492
Important motion of Lord Shelburne in the Britiſh Houſe of Peers — 493
The miſuſe of the Iriſh hereditary revenues — 495
Reſolutions moved by Lord Shelburne — 496
The reſolution ſupported by the Earl of Hillſborough, Marquis of Rockingham, &c. 497
Lord Upper Oſſory's ſpeech and motion in the Britiſh Houſe of Commons for a vote of cenſure, &c. — 499
Lord Middleton ſupports the motion — 500
Debate upon the motion continued — 501-2
The motion rejected by 173 againſt 100 — 503
Mr. Burke's remarks — 505
Reſolutions *of the Iriſh parliament* for a free trade — 506
A *committee of the Britiſh Houſe of Commons* upon the ſtate of Ireland—The miniſter's ſpeech, and correct ſtatement of the reſtriction upon the Iriſh trade — 507 to 512
Two bills in favor of Iriſh trade paſs—Force, diſcipline, and political reſolutions of the Iriſh volunteers—Mr. Grattan's reſolution on Iriſh independence moved to be entered on the Journals of the commons — 513
The motion withdrawn—Firſt Iriſh lottery — 514
Mr. Perry, ſpeaker of the Houſe of Commons, his ſpeech, *Note*—The privy council in England alters the mutiny and ſugar importation bills — 515
The borough of Newry petitions—General diſcontent—The Houſe of Commons reſolves into a grand committee upon the alteration in the mutiny bill — 516
The reſolutions of Dublin merchant volunteers — 517
Cenſure of the commons upon certain public papers — 518
Great circulation of a pamphlet attributed to Mr. Grattan — 519
Lord Buckinghamſhire's ſpeech to the lords and commons—Lord Carliſle appointed to the government of Ireland—Mr. Eden (now Lord Auckland) ſecretary — 521

Speech

Speech of Mr. Fox in the Britiſh Houſe of Commons upon the report of the mutiny bill—Mr. Townſend ſeconds the motion — — — 527
The motion paſſes without a diviſion — — — 528
The reviews of the volunteers continue—The lord lieutenant convenes parliament—His ſpeech 529
Mr. O'Neil moves the addreſs, and Mr. Conolly moves thanks to the volunteers 530
Mr. Fitzgibbon (afterwards Earl of Clare) oppoſes at firſt the vote of thanks to the volunteers 531
The vote of thanks paſſes unanimouſly — — — 532
A habeas corpus bill moved for, and paſſes—A freedom of trade with Portugal moved for by Sir Lucius O'Brien—Mr. Eden the ſecretary oppoſes the motion—Debates thereupon 533
Mr. Grattan moves for amending the mutiny act — — 538
The motion rejected — — — — 540
The heads of a new mutiny bill propoſed—Rejected by a large majority — 541
Intelligence of the ſurrender of Lord Cornwallis's army — — 542
A remarkable ſpeech of Mr. Yelverton on the occaſion—Mr. Grattan's report of the finances, and moves for the appointment of a committee thereupon — — 544
Mr. Forſter accuſes Mr. Grattan's ſtatement of error — — 547
Mr. Eden joins Mr. Forſter—Mr. Grattan's motion rejected — — 549
Mr. Flood's ſpeech on Poynings' law — — — 550
Reference to the influence of the lords of articles in Scotland — — 551
Mr. Flood's motion for a committee to examine this law—The motion oppoſed by the provoſt and the attorney general, and rejected — — — 554
Mr. Luke Gardiner propoſes the heads of a bill for a further relief from penal laws to the Roman Catholics — — — — 555
A long debate upon the motion—Deferred — — — 556
Mr. Flood moves the queſtion of Poynings' law — — 557
The ſpeaker's ſpeech to the lord lieutenant—Mr. Grattan's ſpeech previous to the receſs upon the Catholic bill — — — — 558
Mr. Gardiner gives notice of his intentions to bring in the heads of a bill for the relief, &c. 559
Long debates upon the queſtion — — — 560
In the abſence of Mr. Gardiner, Mr. Dillon preſents heads of a bill for the relief of the Roman Catholics—Debates thereon — — — — 561
The order of the day for the Catholic bill—Mr. Fitzgibbons oppoſes it—A long debate 562
The Armagh volunteer reſolutions — — — 563
Reſolutions of the Ulſter volunteers at Dungannon — — 565
Names of the principal members for and againſt the Catholic bill — 570
Mr. Gardiner's bill not a government meaſure—Mr. Grattan's ſpeech on Iriſh legiſlative independence — — — — — 573
Makes a motion for an addreſs to his majeſty — — — 575
The motion rejected — — — — 577
Mr. Flood moves reſolutions upon ſame ſubject — — 578
The ſolicitor general propoſes an amendment—The declaration in the reſolutions negatived 579
Mr. Gardiner propoſes the relief for the Catholics by three ſeparate bills — 580

The

The heads of two pafs, the third, which related to intermarriages between Roman Catholics and Proteftants negatived by a majority of eight — — 581
An extract from Mr. Burke's letter to an Irifh peer, during thefe tranfactions, *Note* 582
The Catholic bill though not perfected during, to be confidered however to belong to Lord Carlifle's adminiftration — — — — 584
Lord Carlifle's refignation, and the Duke of Portland's appointment to the lieutenancy 586
Mr. Eden lays before the Britifh parliament a view of Irifh politics for the laft two years—Moves for leave to bring in a bill for the independence of the Irifh parliament — 587
Mr. Secretary Fox communicates a meffage to the houfe, recommending the ftate of Ireland 588
Colonel Fitzpatrick's declaration — — — 590
The Duke of Portland's reception in Dublin upon the meeting of parliament—Mr. Hely Hutchinfon, principal fecretary of ftate, communicates the meffage from the throne — 591
Mr. Ponfonby moves a dutiful addrefs to the king—Mr. Grattan moves for an amendment 592
Error of Judge Blackftone refpecting Ireland — — — 593
Terms propofed by Mr. Grattan—The addrefs as amended by Mr. Grattan—Paffes 594
Great inconftancy of the late adminiftration—Mr. O'Neil moves for a congratulory addrefs to the Duke of Portland—It paffes — — — 596
Mr. Fitzgibbon moves a vote of thanks to the late lord lieutenant, which paffes—Firft divifion upon the Catholic bills, which pafs by a great majority—Letter of Lord Carlifle in anfwer to the vote of thanks, *Note* — — — — 597
Mr. Fitzgibbon's fpeech upon the independence of Ireland—The attorney general's political opinions — — — — 598
The parliaments of England and Ireland debate upon the Irifh independence on the fame day 599
The Earl of Shelburne moves in the Engliſh Houfe of Lords for a repeal of 6th Geo. I. &c. &c. 600
The Earl of Carlifle expreffes his approbation of the motion, which paffes with only one diffenting voice — — — — — 601
Mr. Fox in the Engliſh Houſe of Commons moves for a repeal of the fame act, &c. &c. 602
A correfpondence between the leaders of the two countries — — 603
The Duke of Portland's fpeech from the throne to the Irifh parliament — 606
Mr. Grattan's fpeech — — — — 607
He moves an addrefs, which paffes unanimoufly — — 609
Reference to a correfpondence between the Duke of Portland and Lord Shelburne upon the ftate of Ireland, *Note* — — — — 611
Mr. Bagenal moves for a mark of national gratitude to Mr. Grattan — — 612
A fum of 50,000*l.* granted to him—A proclamation for a day of general thankfgiving—Mr. Flood's jealoufy of Mr. Grattan — — — — 614
Mr. Montgomery moves for a reftitution of Mr. Flood's place, then held by Sir George Younge 615
Colonel Fitzpatrick oppofes the motion—A converfation between Mr. Flood and Mr. Yelverton upon Poynings' law — — — — 616
An important debate upon the fame law — — — 617
The bill paffes with Mr. Yelverton's amendment — — 619
The death of the Marquis of Rockingham occafions a change in the cabinet—Members of the new adminiftration, *Note* — — — — 620

Lord Temple fixed upon for the lieutenancy —— —— —— 621
The Iriſh bank, Habeas Corpus, and diſſenting Proteſtant ſacramental teſt bills paſs, likewiſe the judges independence bill —— —— —— 623
The lord lieutenant's ſpeech from the throne —— —— —— 624
The 6th of Geo. I. repealed in the Britiſh parliament—Provincial meetings of the volunteers—Reſolutions of the ſame—National committee in Dublin —— —— 626
Reſolution of the Dungannon volunteers—Addreſs of the ſame —— —— 627
The province of Connaught addreſſes alſo—Munſter was ſilent, although the deputies met 628
Addreſs of the firſt company of Belfaſt volunteers —— —— 629
A volunteer encampment—An addreſs moved to the reviewing general—Debates thereupon 630

THE

THE CONTENTS

OF THE

APPENDIX to the FIRST VOLUME.

No.

I. THE bull of Adrian IV. by which he granted Ireland to Henry II. and confirmation thereof by Alexander III. —— —— —— p. 1 to 3

II. The treaty or articles of Windſor, —— —— —— 3 to 4

III. Extracts from the Iriſh remonſtrance to Pope John XXII. —— 4 to 10

IV. The form of a proclamation made on the occaſion of changing the lordſhip into the kingdom of Ireland, —— —— —— —— 10

V. Proclamation of temporary conſtitutions made by deputy and council in magno parliamento, —— —— —— —— 11 to 12

VI. An act whereby the king and queen's majeſties, and the heirs and ſucceſſors of the queen be entitled to the countries of Leix, Slewmarge, Irry, Glinmaliry, and Offaily, and for making the ſame countries ſhire grounds, —— 12 to 14

VII. From the preamble of 11 Elizabeth, c. *I.* —— —— 14 to 20

VIII. Letter from Lord Eſſex to Queen *Elizabeth*, dated 15 June 1598, —— 20 to 23

IX. Extract from *the annals of the four maſters*, relative to ſome of the great Mileſian families, *who attended* parliament —— —— —— 23 to 25

X. Form of the aſſociation of the adherents of Deſmond —— 25 to 26

XI. Breve of Pope Clement VIII. to the Iriſh nation —— —— 26 to 27

XII. From the MSS. Trinity college, Dublin, being a brief declaration to the queen, concerning the abuſes of her government in Ireland, particularly under the adminiſtration of Sir William Fitzwilliams, written in 1594, by Captain Thomas Lee 28 to 51

XIII. The anonymous letter, upon which the rebellion of Tyrone and Tyrconnel was founded 51 to 52

XIV. A proclamation touching the Earls of Tyrone and Tyrconnel —— 52 to 55

XV. A letter from ſeveral of the lords of the Pale to King James II. —— 55 to 58

XVI. Remonſtrance of divers lords of the Pale to the king concerning the Iriſh Parliament 58 to 59

XVII. The ſpeech of James I. to the lords of the council at Whitehall, on the 21ſt of September, 1633, in the preſence of the Iriſh agents —— —— 60 to 66

XVIII. The judgment of divers of the archbiſhops and biſhops of Ireland concerning the toleration of religion —— —— —— —— 66

XIX. Abſtract of the report and return of commiſſioners ſent by the king to Ireland, to enquire into the grievances and complaints of the Iriſh, in 1613 —— 67 to 70
XX. The ſubſtance of the remonſtrance of the commons, to the Lord Deputy Wentworth, in 1695 —— —— —— —— 70 to 71
XXI. To the Right Honorable the Lord Deputy, the humble and juſt remonſtrance of the knights, and citizens, and burgeſſes aſſembled —— 71 to 76
XXII. To the right honorable the juſtices and council, the humble remonſtrance of the gentry and commonalty of the county of Cavan, of their grievances, common with other parts of the kingdom of Ireland —— —— —— 76 to 77
XXIII. The proteſtation of the commons againſt the preamble in favor of the Earl of Strafford 77 to 80
XXIV. His majeſty's letter touching the graces —— —— 80 to 81
XXV. The orders of the lords and commons of the Engliſh parliament to the lords juſtices of Ireland —— —— —— —— 81 to 82
XXVI. The oath to be taken by the Iriſh —— —— —— 83
XXVII. Lord Clanricarde's letter to the king —— —— 83 to 86
XXVIII. The remonſtrance of the Catholics of Ireland, delivered to his majeſty's commiſſioners at Trym, 17th of March, 1642 —— —— —— 86 to 101
XXIX. Declaration of the confederated Catholics —— —— 101 to 102
XXX. The king to the Marqueſs of Ormonde, ſent by Mr. Brent; and the king to the Marqueſs of Ormonde, ſent by Sir Brian O'Neil; and the king to the Marqueſs of Ormonde, ſent by the Earl of Glamorgan, and other letters from the king to Ormonde 102 to 106
XXXI. Patent to the Earl of Glamorgan —— —— 106 to 107
XXXII. Commiſſions to ditto —— —— —— 107 to 108
XXXIII. The king's letter to the Archbiſhop of Ferns, and extract of a letter to the queen, dated the 2d of March, 1645, from Cardinal Pamphilio, delivered to her majeſty at Paris, by Signor Spinola —— —— —— 109 to 110
XXXIV. Letter of the Marquis of Ormond to the Lord Muſkerry —— 110 to 111
XXXV. The preamble to and conditions of the ſecret treaty of the confederates concluded with the Earl of Glamorgan, on the 25th of Auguſt, 1645–6 —— 111 to 114
XXXVI. Letter from the Marquis of Ormonde to the Earl of Glamorgan —— 114
XXXVII. Letters from Charles I. to the Earl of Glamorgan —— 115 to 117
XXXVIII. The ſtate of his majeſty's affairs, and the condition of his faithful ſubjects in the kingdom of Ireland, 12th of April, 1651 —— —— 118 to 121
XXXIX. A copy in Engliſh of his majeſty's letter to his highneſs the Duke of Lorrain, dated the 6th of February, received the 8th of Auguſt, 1652 —— 121 to 124
XXXIX*. A liſt of the nobility of Ireland in 1688 —— —— 124 to 125
XL. The Marquis of Ormonde to the king —— —— 125 to 129
XLI. Declaration of the Roman Catholics —— —— —— 129 to 130
XLII. By the lord deputy and council a proclamation —— —— 130 to 132
XLIII. Mr. Oſborne's letter to my Lord Maſſereen —— —— 132 to 134
XLIV. The names of the lords and commons of the parliament of Ireland, ſitting at Dublin the 7th

ERRATA to Vol. I.

Page 19, line 4, note, for *exploded* read *explored.*
102, note, for *Oſm.* read *Orm.*
199, note, for *Somers* read *Somerville.*
223, line 10, for *for* read *of.*
265, line 1, note, for *from* read *againſt.*
358, line 15, for *exceed* read *exceeded.*
393, line 21, for *indiſpenſable* read *indiſputable.*
439, line 3, dele the word *of.*
479, line 7, for *conſtrained* read *conſtrued.*
541, line 10, for *puint* read *point.*
545, line 2, for *redreſſed* read *reduced.*

In Appendix, p. 325, *The Addreſs of Francis Dobbs, Eſq. to the Belfaſt Volunteers* is inſerted by miſtake, inſtead of his *Letter to Lord North*, which will be found in p. 365.

7th of May, 1689, and continued ſitting till the 18th of July, and then prorogued until the 12th of November. King James' ſpeech to both houſes of parliament in Ireland, publiſhed by his majeſty's order, May 10, 1689. The parliament of Ireland's addreſs to the king. The ſeveral bills that paſſed both houſes of parliament in the ſeſſion begun at Dublin, the 7th of May, 1689, to which the late king aſſented. The preamble to the act of repeal of the acts of ſettlement and explanation, &c. as it paſſed the Houſe of Commons — — — 134 to 147

XLV. Doctor Gorge, ſecretary to General Schomberg in Ireland, his letter to Colonel James Hamilton, in London, to be communicated to the Lady Viſcounteſs Ranelagh, the Lord Maſſareen and others — — 147 to 157

XLVI. An act for the attainder of divers rebels, and for preſerving the intereſt of loyal ſubjects 157 to 171

XLVII. An act for repealing the acts of ſettlement and explanation, reſolution of doubts, and all grants, patents and certificates, purſuant to them or any of them 171 to 195

XLVIII. An act for the advance and improvement of trade, and for encouragement and encreaſe of ſhipping and navigation — — — 195 to 201

XLIX. The civil and military articles of Limerick, exactly printed from the letters patents, wherein they are ratified and exemplified by their majeſties, under the great ſeal of England — — — — 201 to 212

L. The lord lieutenant's proteſt againſt the Houſe of Commons's claim to the right of originating money bills — — — 212 to 214

LI. Report of the commiſſioners upon the forfeited lands — 214 to 215

LII. The ſeveral arguments of Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice, at the bar of the Houſe of Commons of Ireland, February 22d; and at the bar of the Houſe of Lords, February 28th, 1703, againſt paſſing the bill, intitled, an act to prevent the further growth of Popery — — 215 to 230

LIII. Proteſt upon the ſchiſm act in the Britiſh Houſe of Lords — 230 to 232

LIV. To the king's moſt excellent majeſty, the humble addreſs of the knights, citizens, and burgeſſes in parliament aſſembled — — 232 to 234

LV. The ſentiments of a Church-of-England-man, with reſpect to government, by Dr. Jonathan Swift — — — 234 to 244

LVI. The late Duke of Leed's reaſons for proteſting againſt a vote of the Houſe of Lords in England, which declared a trial before the Houſe of Lords in Ireland to be *coram non judice* — — — — 245 to 247

LVI. A letter from Primate Boulter to the Biſhop of London, relating to the Diſſenters' complaints of tithes — — — 247 to 251

LVII. The memorial of Dr. Lucas — — — 251 to 255

LVIII. The memorial of the Earl of Kildare — — 255 to 257

LIX. The gentlemen who voted in ſupport of the reſolution againſt this queſtion, and for ſtifling the reſolutions from appearing before his majeſty — 257 to 260

LX. Exhortation of the Roman Catholic clergy of Dublin read from their altars on the ſecond of October, 1757 — — — 260 to 262

LXI. Letter of Mr. O'Connor to Doctor Curry — — 262 to 264

LXII.

LXII. Mr. Wyſe's propoſal to the firſt Catholic committee —— 264 to 265
LXIII. Letter of Mr. Saul to Mr. O'Connor of Belanagare —— 265 to 267
LXIV. Letter of Mr. O'Connor to Dr. Curry. To the ſame. The anſwer 267 to 269
LXV. The humble addreſs of the Roman Catholic gentlemen, merchants, and citizens of the city of Dublin to his Grace John Duke of Bedford—His Grace the Duke of Bedford's anſwer to the addreſs of the Roman Catholics of Dublin in his letter to the Right Hon. John Ponſonby, Eſq. ſpeaker of the honorable Houſe of Commons 269 to 271
LXVI. Letter of General Strode to the lord lieutenant, concerning the landing of Thurot 271 to 275
LXVII. The addreſs of the Quakers —— —— —— 275 to 277
LXVIII. Exhortation read in the Roman Catholic chapels on the day of public faſt 277 to 278
LXIX. The addreſs of the merchants and traders of Dublin in 1761 —— 278 to 279
LX*a*. Proteſt of the lord lieutenant, &c. —— —— 279 to 285
LXI*a*. Proteſt of five lords againſt the lord lieutenant's right of proteſting 285 to 287
LXII*a*. Proteſt of ſixteen lords againſt the entry of the lord lieutenant's proteſt on the journals 287 to 289
LXIII*a*. The Catholics' teſt of allegiance preſcribed by the 13th and 14th George III. chap. xxxv. 289 to 290
LXIV*a*. From the debates in the Britiſh Houſe of Commons —— 290 to 312
LXV*a*. Debate upon Iriſh affairs in the Britiſh Houſe of Peers —— 312 to 325
LXVI*a*. An addreſs from Francis Dobbs, Eſq. to the officers and privates of the ſeveral companies to be reviewed at Belfaſt, the 31ſt of July, 1782 —— 325 to 332
LXVII*a*. Addreſſes and reſolutions of different corps of volunteers—The addreſs publiſhed by the committee of the Ulſter volunteers—The reſolutions agreed to at a meeting of the high ſheriff and grand jury of the county of Dublin, 11th of April, 1782 332 to 345
LXVIII*a*. From the debates in the Britiſh Houſe of Commons —— 345 to 358
LXIX*a*. An addreſs from the Belfaſt firſt volunteer company to the officers and privates of the ſeveral companies to be reviewed at Belfaſt, 31ſt of July, 1782 358 to 365
LXX*a*. Letter from Francis Dobbs, Eſq. to Lord North —— —— 365

AN

HISTORICAL REVIEW,

&c. &c. &c.

PRELIMINARY CHAPTER.

OF THE STATE OF IRELAND BEFORE IT WAS INVADED BY THE ENGLISH.

IN order to prepare the mind for an impartial and ſatisfactory judgment upon the Union of Great Britain and Ireland, it will be proper to premiſe ſome general obſervations upon the nature and reſources of Ireland, and the ſpirit and character of its native inhabitants, independently of any connection with Great Britain. We ſhall thereby be enabled to judge impartially of the relative effects of that connection, which, through a long and intricate maze of national viciſſitudes, has ultimately led to an incorporate union of the two kingdoms. I affect not to write a regular hiſtory of Ireland *, but ſhall endeavour to draw the attention of my reader to ſuch prominent events, as have, in their time, order, and proportion, remotely and proximately

* Whoever has given even a tranſient thought to the hiſtory of Ireland, muſt be ſenſible that the moſt ſtriking features of it have been generally delineated in the ſtrongeſt tints of party prejudice. This made Dr. Leland ſay: "But the circumſtances of Ireland were a ſtill more diſpiriting

proximately led to the incorporate union of Great Britain with Ireland, which is the primary object of this publication.

Although the nature of man be homogeneous, yet different portions of the human race differ from each other by properties, qualities, and habits, ſo ſtrongly diſtinctive, as nearly to approximate to a difference of ſpecies. Many are the gradations and ſhades of theſe diſtinctions. True it is, that different political ſyſtems produce powerful effects upon mankind: they go great lengths, but not the whole way towards changing the innate genius, ſpirit, and character, of nations. To a cloſe and impartial obſerver, the original national character will manifeſt itſelf, up to the remoteſt antiquity, under the ſtrongeſt influence of improvement or debaſement. Without entering into a philoſophical diſquiſition of the immediate cauſes of a variety in national characters, we may be allowed to attribute much to the air and ſoil of particular countries, although, at diſtant periods of time, many may be the inſtances of changes, ſuſpenſions, and apparent extinctions, of the moſt marked characters in the ſame nations. Faintly, if at all, can we trace a ſingle line of the old Grecian, Punic, or Roman character, through modern Turkey, on the coaſts of Barbary, or in the territorial poſſeſſions of

" obſtacle to the hiſtorian of this country. Prejudices and animoſities could not end with its diſ-
" orders. The relations of every tranſaction in times of conteſt and turbulence, were for many
" years dictated by pride, by reſentment, by the virulence of faction, by the obliquity of particular
" intereſts and competitions. It was ſcarcely poſſible for a writer not to ſhare in the paſſions and
" prejudices of thoſe around him; or, however candid, diſpaſſionate, and accurate, ſtill he muſt
" have done dangerous violence to their opinions and prepoſſeſſions. Time and reflection, and an
" encreaſing liberality of ſentiment, may have ſheathed the acrimony of contending parties; and
" thoſe at a diſtance may look on their contentions with indifference. Yet, even at this day, the
" hiſtorian of Iriſh affairs muſt be armed againſt cenſure, only by an integrity which confines him
" to truth, and a literary courage, which deſpiſes every charge but that of wilful or careleſs miſ-
" repreſentation. In ſeveral inſtances, the author may have ſtated facts in a manner different
" from thoſe writers uſually accepted as authentic. Had he, in ſuch caſes, proceeded to a parti-
" cular examination of the opinions and aſſertions of other men; had he entered into a juſtification
" of his accounts, or ſpecified the reaſons which determined him to reject, or admit, every par-
" ticular authority, his work muſt have ſwelled to an enormous ſize. He was, therefore, obliged
" to content himſelf with a diligent and attentive inſpection of different evidence, with a careful
" uſe of his private judgment; with exhibiting the authorities he choſe to follow, without gene-
" rally engaging in critical or controverſial diſcuſſions. They who are the beſt acquainted with
" the materials of which this hiſtory, and particularly the latter periods, have been formed, will
" poſſibly be the readieſt to acknowledge the neceſſity of this method." To theſe ſentiments I unequivocally ſubſcribe.

the

the Biſhop of Rome. But who ſhall aſſert, that a melioration of the political ſyſtems of government in thoſe countries, would not vivify the ſmothered embers, and rouſe into a flame that very ſpirit, which once was the dread of the day, and has ſince been the aſtoniſhment of poſterity. Yet Ireland undoubtedly ſtands prominently conſpicuous amongſt the nations of the univerſe a ſolitary inſtance, in which neither the deſtructive hand of time, nor the devaſtating arm of oppreſſion, nor the wideſt variety of changes in the political ſyſtem of government, could alter or ſubdue, much leſs wholly extinguiſh, the national genius, ſpirit, and character of its inhabitants.

It would be uſeleſs to attempt any thing like a geographical ſurvey or deſcription of the iſland. Sir John Davies, who was attorney-general in Ireland, in the beginning of the reign of James the Firſt, applied his obſervations in a particular manner to its local, as well as its then political ſituation. His report, from ocular teſtimony, compreſſes, in few words, the immenſe advantages and reſources of this iſland in itſelf, and conſequently its importance to the Britiſh empire at large*. "During the time," ſays he, "of "my *ſervice in Ireland* (which began in the firſt year of his Majeſtie's raigne), "I have viſited all the provinces of that kingdome, in ſundry journies and "circuits. Wherein I have obſerved the good *temperature* of the *ayre*; "the *fruitfulneſſe* of the *ſoyle*; the pleaſant and commodious *ſeats* for *habi*- "*tation*; the ſafe and large *ports* and *hævens*, lying open for *trafficke* into "all weſt parts of the world; the long inlets of many navigable rivers; and "ſo many great lakes and freſh ponds within the lands, as the like are not "to be ſeene in any part of Europe; the rich *fiſhings*, and wilde fowle of "all kinds; and, laſtly, the *bodies* and *minds* of the people, endued with "extraordinary abilities of nature†."

Dr.

* A Diſcoverie of the true Cauſes why Ireland was never entirely ſubdued, &c. by Sir John Davies, Part 1.

† It is well known that Camden, though entitled generally to high hiſtorical credit, yet laboured under ſtrong prejudices againſt the Iriſh: ſuch, indeed, was the prevailing faſhion or ſpirit of all the Engliſh writers of his days. His teſtimony, therefore, in favour of the Iriſh, is of double force. It was ſaid of him, by an Iriſh author, not impertinently,

Perluſtras Anglos oculis Cambdene duobus,
Uno oculo Scotos, cæcus Hybernigenas.

Thus then Camden ſpeaks of the Iriſh (*Brit.* p. 680.) "*Bellicoſi ſunt, ingenioſi, corporum "lineamentis conſpicui, mirifica carnis mollitie, et propter muſculorum teneritudinem agilitate incredi-*

 bili."

Dr. Leland, whoſe Hiſtory of Ireland claims claſſical pre-eminence amongſt the modern productions upon this ſubject, has favoured us with the following characteriſtic of the people of Ireland *. "A robuſt frame of body, a "vehemence

bili." And (p. 789), "*In univerſum gens hæc corpore valida et imprimis agilis, animo forti et elato, "ingenio acri, bellicoſa, vitæ prodiga, laboris frigoris et inediæ patiens, veneri indulgens, hoſpitibus "perbenigna, amore conſtans, inimicitiis implacabilis, credulitate levis, gloriæ avida, contumeliæ et "injuriæ impatiens, et ut inquit ille olim, in omnes actus vehementiſſima.*"

The ſingular phenomenon of reptiles, which are elſewhere venomous, being deprived of their poiſon and ſting in Ireland, is too curious, and too generally ſpoken of as fabulous, not to be noticed. The native Iriſh have ever attributed this ſingularity to the prayers of St. Patrick, in whoſe days, they affirm, the iſland to have been over-run with theſe noxious creatures. The fact has been recogniſed by men of the higheſt authority. Venerable Bede, in the beginning of the eighth century, ſaid, *Nullus ibi ſerpens vivere valeat.* Lib. i. c. 1. And Camden, in his *Brit.* 727, alſo ſays, *Nullus hic anguis, nec venenatum quicquam.*

* The attempt to write the hiſtory of the union of Great Britain and Ireland, in a manner unexceptionable to all parties, though perhaps unattainable in fact, is not of ſo deſperate a nature as to be abandoned in the firſt inſtance. I readily admit, that whatever may be hazarded in this work as matter of opinion, is fully open to controverſy; and that general preſumptions will reaſonably bear hard againſt a perſon, who can prove but little by the teſtimony of his ſenſes, either of the nature of the country, or the diſpoſition of its inhabitants. Upon theſe two points, therefore, I have adopted the opinions of Sir John Davies and Dr. Leland as unexceptionable; inaſmuch as they both lived many years in the country, and applied their minds to thoſe objects with peculiar attention. I have, therefore, ſubmitted my own opinions, whatever they might have been, in theſe two points to thoſe of others, in every way more competent, from perſonal experience, to judge rightly of them than myſelf. But as to all public documents and proofs of hiſtorical facts, every man that undertakes the functions of an hiſtorian muſt be ſuppoſed competent to judge; and by that competency will he form his judgment. *Et eum oportet eſſe gnaviter impudentem*, who, in defiance of ſuch public documents, ſhall wilfully attempt to miſrepreſent the truth. I have, moreover, perſonal reaſons for adopting the opinions of others, on theſe two points, in preference to my own. About ten years ago, before I had ever been in Ireland, I publiſhed a pamphlet, on the occaſion of the paſſing of an act of parliament in Great Britain in favour of the Engliſh Catholics: it was alſo at the time when Mr. Paine, and his proſelytes, were induſtriouſly propagating the doctrines on the abſtract *Rights of Man.* In that work, I ſaid: "The lower claſs of the Iriſh, I underſtand, to be a race robuſt and hardy, and of a very irritable "diſpoſition and nature: they are now indolent in extreme poverty, from being debarred the "common reſources of induſtry; and are averſe from all laws, from having felt the conſtant "preſſure of ſuch only as are galling and ſevere." And I concluded, that the zealots for ſedition and anarchy found them ready materials to work upon.—Sir Richard Muſgrave, in the additional Appendix to his Memoirs of the Rebellions in Ireland, has choſen to conſtrue theſe words into a ſtrong incitement to diſloyalty and inſurrection; and he adds, in a note, that *if this gentleman*

" vehemence of paſſion, an elevated imagination, were the characteriſtics " of the people. Noble inſtances of valour, generous effuſions of bene- " volence, ardent reſentments, deſperate and vindictive outrages, abound in " their annals. To verſe and muſic they are peculiarly addicted. They who " are poſſeſſed of any ſuperior degree of knowledge, they who operate on " their fancies or paſſions by the livelieſt ſtrains of poetry, are held in " extraordinary veneration. The miniſters of their religion are accounted " more than human. To all theſe they ſubmit their conteſts; they conſult " them as oracles of law and policy. But reflection, and the gradual pro- " greſs of refinement, convince them of the neceſſity of ſettled laws. The " principles of equity and independence implanted in the human breaſt, " receive them with delight; but the violence of paſſion ſtill proves ſuperior " to their reſtraint. Private injuries are revenged by force; and inſolent " ambitious chieftains ſtill recur to arms."

tleman had lived among the Iriſh, he would have known that they were active citizens, both by night and by day. Since the publication of that pamphlet, I have thrice viſited Ireland: the legiſlature, ſince that period, has thought proper to repeal moſt, if not all, of thoſe very laws, which I then termed *galling and ſevere.* The acts of the legiſlature have juſtified my application of thoſe epithets to the laws, which they found neceſſary to repeal. The *civic activity, by night and day,* upon which the hiſtorical baronet has indulged his jocularity, is rather too awful a ſubject to reply to in the ſame ſtrain. I ſcarcely know a more ſure preventative againſt a relapſe into this diſorder of *activity,* than to encourage the ſober induſtry of the *active citizens.*—It long has been my cordial wiſh to promote the welfare of Ireland, which is, if I may be allowed the phraſe, the right hand of the *Britiſh empire: and it has* ever pained me to obſerve its natural powers cramped, checked, and paralyſed.—In reprobating the ſpirit with which this work of Sir Richard Muſgrave, and ſome other publications of a ſimilar tendency, are written, it would be injuſtice to the public not to lay before them the ſentiments which the Marquis Cornwallis expreſſed in an official letter to that Baronet, after the publication of his work, viz.

" Sir, *Dublin Caſtle, March 24,* 1801.

" I am directed, by the Lord-Lieutenant, to expreſs to you his concern, at its appearing that " your late publication of the Hiſtory of the late Rebellions in Ireland, has been dedicated to " him by permiſſion. Had his Excellency been appriſed of the contents and nature of the work, " he would never have lent the ſanction of his name to a book, which tends ſo ſtrongly to revive " the dreadful animoſities which have ſo long diſtracted this country, and which it is the duty of " every good ſubject to endeavour to compoſe. His Excellency, therefore, deſires me to requeſt, " that in any future edition of the book, the permiſſion to dedicate it to him may be omitted.

" I have, &c.

" *Sir Richard Muſgrave, Bart.* " E. B. Littlehales."

If

If this be a faithful portrait of the characteriſtic features of the Iriſh nation, and I admit the outline and colouring to be juſt, the references I ſhall make to the earlier parts of the Iriſh annals, will ſerve to trace and account for the origin, nature, and continuance of that national character, out of which ariſe ſome of the ſtrongeſt reaſons for uniting that kingdom with our own.

The pride of anceſtry has a peculiar effect upon the Iriſh. No nation, in fact, now upon the face of the globe, can boaſt of ſuch certain and remote antiquity; none can trace inſtances of ſuch early civiliſation; none poſſeſſes ſuch irrefragable proofs of their origin, lineage, and duration of government. It has been a pitiful prejudice in too many Engliſh writers, to endeavour to throw diſcredit upon the early part of the Iriſh hiſtory. That many fabulous accounts are to be found in the Iriſh annaliſts, is true; but no leſs true is it, that the Engliſh hiſtorians ſuperabound with groſs and wilful miſrepreſentations of the Iriſh annals *. The poſſeſſion of a vernacular language at this day, which was in general uſe above three thouſand years ago, is a defiance to hiſtorical fiction and falſity, that Ireland alone, amidſt all the nations of the univerſe, can proudly boaſt. The anceſtors of the Iriſh were undoubt-

* The ill-judged policy of miſrepreſenting the Iriſh hiſtory, for partial or corrupt purpoſes, began almoſt as early as our connections with that country; and, it is to be lamented, that it has been kept up almoſt uniformly to the preſent day. Gerald Barry, commonly called Giraldus Cambrenſis, was ſent over by Henry II. for the avowed purpoſe of publiſhing whatever he could collect, that was diſadvantageous to the Iriſh. Williamſon, the biſhop of Derry, ſays: "Wonderful, indeed, are many of the tales which he picked up, of the natural, moral, and "political ſtate of this nation." (Ir. Hiſt. lib. 2.) Sir James Ware, who publiſhed his Antiquities of Ireland under Queen Ann, "admires that ſome men of his age, otherwiſe grave and "learned, ſhould obtrude thoſe fictions of Giraldus upon the world for truths." The Biſhop of Derry, who publiſhed his Iriſh hiſtorical Library in 1724, aſſures us, p. 3, that "a very learned perſon, Mr. Joſiah Lynch, titular Archbiſhop of Tuam, to whom Mr. Flaherty prefaces his Ogygia, wrote a particular detection of this man's miſtakes and ſlanders, which he called *Cambrenſis Everſus*, and publiſhed under the name of *Gratianus Lucius*. This writer accuſes Cambrenſis of maliciouſly deſtroying a great many of the old Iriſh annals, whereof he had the peruſal: and it is thence juſtly obſerved by Biſhop *Stillingfleet*, that (if ſo) he had better advantages and more authorities than *Keating*." Candor however muſt admit, that if *Cambrenſis* be fairly charged with wilful miſrepreſentation of facts, ſuppreſſion of truth, and publication of falſhood, the motive for deſtroying thoſe annals, which he had ſo perverted and abuſed, cannot be doubtful. No impartial writer has ever attempted to juſtify the groundleſs and incredible fables of *Cambrenſis*. Mr. Pinckerton as lately as 1789 has remarked, that *he ſhews the greateſt ignorance* in his account of Iriſh Hiſtory. (Pinck. Scot. London, 1789.)

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edly Scythians*, or, as they were afterwards called, Phœnicians. The general belief that the Greeks, the Romans, the Carthaginians, and even the Egyptians, received the uſe of letters from the Phœnicians, reconciles the mind to the very early civiliſation of this colony, which they ſettled in the weſt. For it now ſeems no longer doubtful, that a Scythian or Phœnician colony ſettled in Ireland †. All ancient hiſtorians agree, that hordes of Scythians emigrated

* Hence were they anciently called *Scoti*, by an eaſy tranſition from Σκυθοι, Scythians: which appellation in proceſs of time, remained only appropriate to North Britain, which was inhabited by a colony from Ireland. Venerable Bede generally calls the Iriſh *Scots*. James I, upon his acceſſion to the throne of England, boaſted to the Parliament that he derived his pedigree from the Iriſh Dynaſty.

† Beſides the common uſe of the Phœnician language by the native Iriſh to this day, there are many proofs of their deſcent from the Scythians or Phœnicians, that put the queſtion out of all doubt. That the Carthaginians were a Phœnician colony has never been queſtioned, and like other colonies they carried their language with them. Plautus, who wrote his plays in the ſecond Punic war, introduces into his *Pœnulus* the character of *Hanno* a Carthaginian, into whoſe mouth he puts ſeveral Carthaginian (or Phœnician) ſentences, which had ever before baffled the erudition of the learned to decypher; until theſe ſpeeches have been lately attentively conſidered, and became perfectly intelligible to the Iriſh ſcholar. The ingenious and learned Lieutenant Colonel Vallancey, whoſe unexampled proficiency in the Iriſh language has rendered his reſearches into the antiquities of that country moſt uſeful to the public, has given an accurate collation of theſe Punic ſpeeches with the Iriſh, as now ſpoken; and they will be found to differ little more, than the different provincial dialects of the French, and even of our own tongue; and infinitely leſs after a lapſe of 3000 years, than modern Engliſh differs from what was in uſe four centuries ago. Vid. *Collect. de Reb. Hib.* They are alſo to be found in Sir L. Parſons's Defence of the Ancient Hiſtory of Ireland. It was to be expected that the ignorance of the editors and printers of Plautus, ſhould often miſplace the ſyllables and run one word into another, in a language which was not underſtood. Colonel Vallancey has corrected this diſlocation of the words and ſyllables, and thus rendered the whole legible to the Iriſh, without altering a letter. The curious reader may wiſh to ſee a ſpecimen of this wonderful ſimilarity, or rather identity of the Phœnician and Iriſh languages.

Carthaginian, as in Plautus.

Bythlym mothym noctothij nelechthanti diaſmachon.

Proper intervals arranged by Colonel Vallancey.

Byth lim! mo thym nocto thii nel ech anti dias machon.

Iriſh.

Beith liom! mo thyme noctaithe niel ach anti daiſe maccoinne.

Be with me! my fears being diſcloſed, I have no other intention but recovering my daughter.

Carthaginian and Iriſh, without the change of a word or letter.

Handone filli hanum bene, filli in muſtine.

Whenever

emigrated to Egypt, and from thence to Spain: why then refuſe credit to the Iriſh annaliſts, who are unanimous in aſſerting that a colony of theſe Scythians from Spain ſettled in Ireland. The Iriſh have always prided themſelves upon having kept up a longer ſucceſſion of monarchs, than any other kingdom of the world. This race of kings the Iriſh call *Mileſian*, all of them having deſcended from *Heber*, *Eremon*, and *Ith*, the three ſons of *Mileſius*, who headed the expedition from Spain. In the year of our Lord, 1170, one of the Princes of Ulſter boaſted to Pope Alexander III. of an uninterrupted ſucceſſion of 197 Kings of Ireland, down to his time.* It appears, indeed, at all times to have been a national paſſion of the Iriſh, to boaſt of the monuments of their ancient glory.

The government introduced by the firſt ſettlers, was of a peculiar caſt. They divided the country into four provinces, viz. *Ulſter*, *Leinſter*, *Munſter*, and *Conaught*, each of which had its king; and at the head of theſe four provincial kings was placed a ſupreme monarch. The whole formed a Pentarchy. To the ſupreme they all paid tribute, as a mark of ſubjection, though they were, in all other reſpects, abſolute and independent within their reſpective provinces or provincial kingdoms. The monarch had always had ſome

Whenever ſhe (Venus) grants a favor, ſhe grants it linked with misfortunes.

Carthaginian.

Meipſi & en eſte dum & a lam na ceſtin um.

Iriſh.

Meiſi & an eiſtè dam & alaim na ceſtin um.

Hear me, and judge, and do not too haſtily queſtion me.

The warlike inſtruments which have been found in Ireland under the earth, exactly reſemble the weapons diſcovered about Cannae, ſome of which are in the Britiſh Muſeum: the brazen ſwords and ſpears are of the ſame form and ſubſtance, being a compoſition of braſs and tin. I think it uſeleſs to adduce any proofs of the ſimilarity of habits, cuſtoms or uſages, between the colony and the mother country, from the hiſtorians of each. Suffice it to ſay, that to this day the Iriſh peaſants are in the annual habit of lighting upon certain hills, on the eve of Midſummer, what they ſtill call *Bal's fire*, though fully as ignorant, that *Bel* was the god of their Phœnician anceſtors, as others are, that Jupiter, Mars, Mercury, and Venus were heathen deities, in whoſe honor the days of the week have received their appellation.

* The moderate allowance of 10 years to the reign of each of theſe Kings, will fill the ſpace of 1970 years, 200 years being a moderate allowance for thoſe reigns which exceeded that duration. This nearly correſponds with the time (viz. about 1000 years before the birth of Chriſt), at which moſt of the Iriſh annaliſts date the arrival of the Phœnician colony from Spain under Mileſius.

demeſne

demeſne lands annexed to his royalty; but their great and favourite *Tuathal* ſeparated the diſtrict of *Meath* from the other provinces, and appointed it for the appanage of the monarch. This formed one part of his revenue; another part of it aroſe out of the provincial contributions of corn, hay, and cattle: and when any ſtate emergency required more than the ordinary ſubſidies, the revenue was aided to the extent of the exigency by occaſional taxes, which were voted and impoſed, not by the monarch, but by the general aſſembly of the nation.

It has been frequently and juſtly remarked, that more family pride is retained by the Iriſh, even in extreme indigence, than by any other nation; and it is generally attended with a conviction of ſome right to large poſſeſſions, and ſeldom exiſts without ſome hereditary tincture of contempt for thoſe, whoſe lineage they think leſs ancient and noble than their own; although, at the ſame time, no nation attach more conſequence to property. This is a relict and natural conſequence of the ancient conſtitutions, under which more dignity and conſequence were annexed to particular families than in other nations, not as with us by primogeniture; but the honours and dignities of the families were conſidered by the different ſepts, clans, or lineages as diſpoſable to the moſt worthy. This principle prevailed from the family of *Mileſius* down to every other throughout the iſland. Not only the throne, but all the poſts of honour and profit under the ſtate were in fact elective; not indeed out of the nation at large, but out of particular ſepts or families: conſequently purity of blood became a national object, and carried with it more real conſequence, than it did in any other nation of Europe. Thus although the monarchy were by the conſtitution elective, and in fact ſeldom went in an immediate lineal deſcent; yet from the landing of the Phœnicians to the miſſion of St. Patrick, including the ſpace of about 1500 years, and from that to the invaſion of Ireland under Henry II. being about 640 years, no one filled the monarchy that was not a deſcendant of one of the three ſons of Mileſius. In the choice of their monarch ſeniority and proximity of blood had great weight, but not the preponderance. Military talents outweighed civil accompliſhments; the previous reception of the order of knighthood was an indiſpenſible qualification to be elected; and any ſpecies of perſonal imperfection, or even caſual deformity, created abſolute ineligibility.*

In

* The Iriſh annaliſts relate that Cormoc, in the third century, ſoliciting votes to be elected to the ſucceſſion of Mac Con, Fergus king of Ulſter, who wiſhed to defeat his election, ſo contrived during

In viewing the long duration of the infelicity of Ireland ſince it has been dependent upon or connected with this country, it is impoſſible not to lay the largeſt ſhare of its calamity to the account of that monſtrous anomaly in politics *imperium in imperio*. The only radical cure has now been applied. The reſtitution of Ireland to ſoundneſs and even vigour of conſtitution now reſts with Great Britain, which, ſince the union, is compelled, from policy and intereſt, to enſure the moſt beneficial effects to this national incorporation. Diſcovery facilitates the removal or weakens the power of every retardment or difficulty in the attainment of the end of this great object. By concentrating the proſpective views of the diſtinct parts of the Britiſh empire into one general focus, many particular and local prejudices and prepoſſeſſions will vaniſh and die away, which have hitherto only exiſted by the circumſtances of ſeparation and independence. The numerous claims of royal lineage, which are ſeldom diſannexed from wild convictions of rights to princely domain, and that eſpecially in a ſenſitive and impoveriſhed people, will ultimately vaniſh, when we look up to this change in the government of Ireland for the correction of the evil; an evil which originated in the earlieſt conſtitutions of their government.

The grand Mileſian Monarchy was a model of the four great provincial and numerous other ſmaller kingdoms into which the iſland was ſubdivided. Beſides the univerſal monarch of the iſland and the four kings of the provinces, there were kings of Offaly, Limerick, Cork, &c. So that every provincial ſovereign had under him as many kings as there were ſepts or families of diſtinction within the province: and although we can form no other idea at preſent of theſe numerous roitelets or petty ſovereigns, than mere lords of manors or tenants in *capite*, yet the effects of the national prejudices,* unfortunately

during the revelry, that Cormoc ſhould ſet fire to his beard, by which he loſt his election. It is to be noted, that in order to prevent the miſchiefs of anarchy during elections, by the ancient conſtitution of Ireland, the ſucceſſor was elected during the life of the reigning monarch.

* We can diſcover no period of the Iriſh hiſtory, at which the family pride of the Iriſh was not attended with miſchievous effects. The very wide ſcope of the Iriſh annals throws almoſt an appearance of romance upon the bare references to dates. Until the reign of the great *Tuathal*, of the race of Heremon, (A. D. 125.) few or none of the poſterity of the Mileſians ever ſubmitted to trade or any manual labour, leſt they ſhould degrade their original, or bring a ſtain upon their family. For this very purpoſe they kept in the country a number of the Belgians and Dannonians (the former of which paſſed under the name of *Firl-bolgs*) in order to carry on theſe ſervile and mechanical occupations. But in the reign of Tuathal, tradeſmen and mechanics, as well as artiſts of all

unfortunately tranſmitted down by tradition, are as operative as if every ſuch anceſtor had been as powerful as Charlemagne. Diſorders in ſtates have elſewhere been raiſed by the relatives of the depoſed or deprived ſovereigns: but whether the attempts ſucceeded or failed, the effect was partial, not national, and died away as the royal lineage decayed either in number or power. But as in Ireland every individual of a ſept, who bore the name, aſſumed the blood, and partook in ſome degree of the conſequence and dignity of their chief ſovereign or king for the time being, the effect of debaſement and deprivation embraced a wider range, and grew into a national evil of the greateſt magnitude. The actual indigence of an individual that perhaps might have been greater under the ancient than the preſent order of things,* is contraſted againſt the eaſe and luxury of modern opulence; and the influence of poverty and pride upon an irritable and bold race is but too obvious. Whatever national predilections or prejudices can by any means be put down, when different nations become ſubject to a common ſovereign, it is the undoubted policy of that ſovereign to effect it without irritating the foreneſs which ſuch changes are likely to create †. If the genuine origin of theſe national

all profeſſions, were put under the management of a committee, who had power to examine into their abilities, to reform all abuſes, and to ſuſpend ſuch as by their unfairneſs or want of ſkill brought their occupations into diſcredit. So that, according to Dr. Warner (Hiſt. of Ireland, 225.) this pride has been ſo inherent from that time to this, that Biſhop Berkeley has ſaid, a kitchen wench in his family refuſed to carry out cinders, becauſe ſhe was deſcended from an old Iriſh ſtock. But in the reign of this monarch, when they ſaw the legiſlature take trade and manufactures under their protection, and that no perſon was allowed to exerciſe the arts without a licence from the committee empowered by the general aſſembly of the ſtates, many of the Mileſians condeſcended to follow ſome employment.

* Formerly the lower claſs of the people, being in a ſtate of villeinage, had no property. They belonged to the ſoil, which they cultivated, and were transferred with it, at the pleaſure of their maſters. At preſent there is no ſtate ſo abject throughout the nation.

† It is moſt unaccountable, that to the religion which the majority of the Iriſh nation now profeſſes, the effects of theſe national prejudices or prepoſſeſſions have been and ſtill are attributed by Engliſh, and latterly even by ſome Iriſh writers. True it is, that the greateſt part of the old Iriſh ſtill profeſs the religion of their chriſtian anceſtors; and true alſo is it, that the Iriſh nation is peculiarly tenacious of its old and accuſtomed habits and modes of thinking. Dr. Leland has informed us, *that they account their miniſters of religion as more than human.* By theſe they are told, and they believe, that the religion which they received from St. Patrick, is what had been regularly tranſmitted to him from the apoſtles of Chriſt. The mere circumſtance of profeſſing the catholic religion is as extenſive and foreign from this national family pride or regal enthuſiaſm, as it is from

tional prejudices be to be traced, to paganiſm, not to chriſtianity, we muſt reſort.

The pretenſions to the royal ſtock of ſovereignty in Ireland were not the only grounds of this ſyſtem of family pride and conſequent preſumption. Each king or ſovereign had his order of chivalry, of which he was himſelf the chief: his high prieſt to ſuperintend religion; his brehon or chief juſtice to expound the laws; his phyſicians, antiquarians, chief treaſurer, marſhal, ſtandard-bearer, generals of horſe and foot, &c. All theſe were hereditary honours in certain families, out of which the moſt diſtinguiſhed and beſt qualified were elected to the particular appointments.

We have ſeen that in the agitation of ſome of the great national queſtions in Ireland during theſe laſt twelve years, the public mind has been worked up more without grounds than without malice into a dread of the principle of reſumption, ſhould the civil liberties of Britiſh ſubjects be imparted in common to the whole community of Ireland. True it is, that many of the illiterate Iriſh do entertain general confuſed convictions, that princely poſſeſſions ſhould ever attend the royal blood that fills their veins. This general ſpecies of gregarian reſumption, grafted upon the collective claims of ſepts or clans to certain diſtricts, will upon cloſe inſpection and impartial inveſtigation be found to refer only to the old tenures of *Tanniſtry and Gavelkind*, of which we ſhall ſpeak hereafter, and by no means to the laws of England, which have for centuries regulated the deſcent of lands in Ireland: otherwiſe the reſumption would be confined to the individuals, upon whom the law would in the ſuppoſed caſes of reſumption caſt the inheritance, either by primogeniture or ſome other mode of deſcent. Now the only cry for reſumption is ever ſuppoſed to ariſe from that caſt of the natives, who have retained that national ſpirit with the deluſive claims of royalty and domain, which could alone be realized by the redintegration of the old Brehon inſtitutions.*

It

any other diſtinctive traits of national character, whether they depend on the endowments of the mind or body. Thus long ere our reformation of religion was thought of, one of the O'Neals being told that Barrett, of Caſtlemore, an Engliſhman, and equally a catholic with himſelf, had been there 400 years, he replied, that he hated the clown as if he had but come thither yeſterday.

* The Earl of Caſtlehaven, who reſided in Ireland during the whole of the rebellion in 1641, and for many years after its reduction, wrote Memoirs concerning the wars in Ireland, in order to rectify many errors, and contradict the numerous falſehoods of Dr. Borlaſe's publications on that and other ſubjects relating to Ireland, whoſe Hiſtory of the Rebellion in particular Dr. Nalſon, (*Intr. to*

2 *vol.*

It goes not to touch the titles of any landed property, that was at any time put under Engliſh tenures.

The Iriſh law of *Gavelkind* differed materially from the law, which we ſo denominate in Kent. When any one died, all the poſſeſſions, real and perſonal, of the whole family, were put together (or in hotch-pot), and divided anew amongſt the ſurvivors, by the head of the family, whom they termed the *Caunſinny*;* baſtard ſons were admitted into this diſtribution, though all females, both wives and daughters, and of courſe more remote female relatives, were excluded from it; the diviſion extended to the whole ſept or race, by which means, many veſted freeholds came upon ſuch new partitions to be diveſted during the lives of the tenants. This law or cuſtom was productive of one of the moſt pernicious prejudices, that can pervade the uſeful part of a community: it prevented whole ſepts or families, howſoever numerous and needy, from learning any trade, or turning mechanics, becauſe they would be thus degraded, and the *Caunſinny* would in any future partition exclude ſuch as had debaſed themſelves by ſuch abdication of their family dignity. Union ſeems to afford the final corrective, if there ſtill remain ſuch ſenſeleſs and pernicious prepoſſeſſions.

The national diviſion into ſepts or tribes, though natural to infant communities, was attended in the progreſs of population with the worſt of conſe-

2 *vol. of Imp. Coll. p. viii.*) ſays, *is rather a paradox than a hiſtory*; and that his diſtorted plagiariſm of Lord Clarendon's *manuſcript* "rendered him ſuſpected not to be overſtocked with ho-"neſty and *juſtice, ſo neceſſary to the* reputation of an unblemiſhed hiſtorian. He wrote for the "avowed purpoſe of defending the harſh government of his father, Sir John Borlaſe and Sir "William Parſons:" and Nalſon, as well as the Biſhop of Derry, (*Ir. Hiſt. lib.* 56.) admits, that he continued Sir John Temple's partial and unfaithful memoirs, and wrote reflections upon Lord Caſtlehaven's Memoirs, as being openly and avowedly *a favourite of the faction and the men and actions of thoſe times.* The Biſhop of Derry quotes from Lord Caſtlehaven's publication, made in 1684, a private opinion of that nobleman upon the effect of theſe prepoſſeſſions, viz. that in his judgment, the only true and great motive to this rebellion (as well as to all others ſince the reign of Henry II.) was the old *national feud*, built upon an inflexible perſuaſion that the ſovereignty and property of all the lands in the kingdom, by their unrepealed Brehon law, reſted ſtill in the ſurviving heirs of the *meer Iriſh* or *Mileſian* ſtock. The noble memorialiſt was inattentive to the judgment of the King's Bench in the reign of James I. and did not ſeem aware that by ſtrict law (though unobſerved) the whole kingdom was then ſubjected to the common law of England.

* Le Canfinny, ou chef de ſept (que fuit communement le plus auncient de ſept) feſoit toutz les partitions per ſon dyſcretion. Dav. Rep. 49.

quences,

quences, and theſe were entailed upon the nation by the laws of **Taniſtry* and *Gavelkind:* of the latter I have already ſpoken; and by the former, ſucceſſors were choſen during the lives of their anceſtors, not only to their monarch and other kings, but alſo to their great ſtate and other officers, which were elective within a given line of hereditary deſcent. There exiſted alſo a cuſtom peculiar to Ireland, of giving out their children to be nurſed by foſterers.† It extended for ſome years beyond the neceſſity of keeping the child at the breaſt, and it conſequently tended to ſtrengthen the ties of affection and attachment which united the members of the different tribes or ſepts.‡ It created an extraordinary fraternizing ſpirit amongſt the Iriſh, unknown to other nations; and hence, in a comparative view of the different diſpoſitions of the Engliſh and Iriſh, it has been obſerved, that there is more warmth of affection in Ireland for a foſter brother, than in England for a brother by conſanguinity.

* Sir John Davis reports very fully the judgment of the court of King's Bench in Ireland, 5 Jac. (p. 28.) by which they declared the cuſtom of holding by *Taniſtry* to be void by reaſon of its uncertainty, and on other grounds there ſpecified. This judgment was given upon a ſpecial verdict found in ejectment between *Murrough Mac Bryen*, plaintiff, *v. Cahir O Callaghan*, defendant. The cuſtom or tenure of *Taniſtry* was, that the lands ſo holden deſcended, *ſeniori & digniſſimo viro ſanguinis & cognominis* of the perſon who laſt died ſeized. The ſame reporter gives us the reſolutions of the judges touching the Iriſh cuſtom of *Gavelkind*, by which it was reſolved and declared, *per touts les juſtices*, that the ſaid Iriſh cuſtom of *Gavelkind* was void in law, not only from the inconvenience and unreaſonableneſs of it, but becauſe it was a mere perſonal cuſtom, and could not alter the deſcent of an inheritance by the common law of England. It is there ſaid that formerly in Ireland every lordſhip or chiefry, with the portion of land that paſſed with it, went without partition to the *Taniſt*, who always came in either by election, or *manû forti*, and not by deſcent; but all inferior tenancies were diviſible among the males *in Gavelkind* (p. 49.)

† By this cuſtom, ſays Sir John Davis, (Hiſt. Ir. 180.) "the potent and rich men ſelling, and "the meaner ſort buying the alterage of their children: and the reaſon was, becauſe, in the opi- "nion of this people, foſtering hath always been a ſtronger alliance than blood; and the foſter "children love and are beloved of their foſter fathers and their ſept more than of their own natural "parents and their kindred."

‡ In order to prevent the natural effects of foſtering children, and by the crooked policy of thoſe days, in the 28th of Henry VIII. ch. 28. it was made treaſon for any of the king's ſubjects within the land to marry or foſter themſelves, their children, or king's folk, within the fourth degree, or any of them to or with any Iriſh perſon or perſons of Iriſh blood; which be not the king's true ſubjects, nor uſe themſelves accordingly, though any ſuch perſon or perſons be made denizens. What ideas of oppreſſion and inconſiſtency does not this ſtatute afford, viz. the poſſibility of a king's ſubject being denizened, and a prohibition of the intercourſe of nature between the king's ſubjects?

The

The grand epoch of political eminence in the early hiſtory of the Iriſh is the reign of their great and favourite monarch *Ollam-Fodlah*, who reigned, according to Keating, about 950 years before the Chriſtian æra. Under him was inſtituted the great *Fes* at *Teamor* or *Tarah*, which was in fact a triennial convention of the ſtates, or a parliament, the members of which conſiſted of the Druids and other learned men, who repreſented the people in that aſſembly. Thus the monarch and the provincial and other kings, who had the executive power in their hands on one ſide, and the philoſophers and prieſts, together with the deputies of the people on the other, formed the whole of this ancient legiſlature. When this great council was convened, previous to their entering upon buſineſs, they ſat down to ſumptuous entertainments for ſix days ſucceſſively. Very minute accounts are given by the Iriſh annaliſts of the magnificence and order of theſe entertainments; from whence we may collect the earlieſt traces of heraldry that occur in hiſtory, and deduce that partiality for family diſtinctions, which to this day forms a ſtriking part of the Iriſh national characteriſtic. In order to preſerve order and regularity in the great number and variety of the members who met together on theſe occaſions, when the banquet was ready to be ſerved up, the ſhield-bearers of the princes and other members of the convention delivered in their ſhields and targets, which were readily diſtinguiſhed by the coats of arms emblazoned upon them: theſe were arranged by the grand marſhal and principal herald, and hung upon the walls on the right ſide of the tables, and upon entering the apartments each member took his ſeat under his reſpective ſhield or target without the ſlighteſt diſturbance*. The firſt ſix days were not ſpent in diſorderly revelling and exceſs,

* Nothing can give us ſtronger ideas of the early civilization of Ireland than to reflect upon the period of time, at which this regular ſyſtem of heraldry and other literary inſtitutions were eſtabliſhed in Ireland; viz. 950 years before the æra alluded to by Cæſar of the rude barbariſm of the Britons. In this triennial aſſembly King Ollam Fodlah (about 950 years before the coming of our Saviour) gave the royal aſſent to a great many good laws, and amongſt the reſt to one, whereby it was ordained, that every noblenian and great officer ſhould by the learned heralds have a particular coat of arms aſſigned to him, according to his merit and his quality, whereby he ſhould be diſtinguiſhed from others of the ſame rank, and be known by an antiquary or perſon of learning, wherever he appeared, whether at ſea or land, in the prince's court, at the place of his own reſidence, or in the field of battle. (The Biſhop of Derry Ir. Hiſt. Lib. quotes Keating, p. 148.) The nature of this undertaking will not admit of minute critical diſquiſitions into the authenticity of ſeveral leading facts of the Iriſh hiſtory, which nothing but their extreme antiquity renders doubtful to the indolent,

exceſs, but particularly devoted to the examination and ſettlement of the hiſtorical antiquities and annals of the kingdom: they were publicly rehearſed and privately inſpected by a ſelect committee of the moſt learned members. When they had paſſed the approbation of the aſſembly, they were tranſcribed into the authentic chronicle of the nation, which was called the regiſter or pſalter of *Tarah*. This ſingular caution to prevent the introduction of any falſity or miſrepreſentation into their national hiſtory, would have furniſhed poſterity with the moſt authentic and intereſting relations of this ancient and extraordinary kingdom, had not the Danes in their frequent ravages and invaſions of Ireland, during the 9th and 10th centuries, burnt all the books and monuments of antiquity that fell in their way. We have ſtill more to lament the ſhameful and fatal policy of our anceſtors, who from the firſt invaſion of Henry Plantagenet down to the reign of James the Firſt took all poſſible means of art and force to deſtroy whatever writings had by chance or care been preſerved from the deſtructive hands of the Danes.* They imagined, that the peruſal of ſuch works kept alive the ſpirit of the natives, and kindled them to rebellion by reminding them of the power, independency, and proweſs of their anceſtors. The public mind upon this ſubject has been long changed: two centuries have gone by, ſince Sir John

indolent, or fabulous to the unthinking. There is, however, a maſs of evidence, which, when impartially weighed, boldly bids defiance to the faſtidious and envious ſceptic, and demonſtrates the extreme antiquity of the Iriſh nation, and its colonization by the Phœnicians about 1000 years before the Chriſtian æra. Without calling upon the ſubmiſſion of any one to a particular fact of the ancient hiſtory of Ireland, when we combine together the proofs of the Phœnician and Iriſh language being the ſame, the ſimilarity of the old Iriſh and Carthaginian military weapons, the concordance of the Greek and the Iriſh accounts of the names and productions of the iſland, the coincidence of the bards and hiſtorians as to the number of their kings, the reference of their earlieſt bards to long pre-exiſting uſages, which confirmed by names and terms which have ſurvived thoſe uſages, prove their former exiſtence, the very fabulous alluſions of their bards or poets to the names of monarchs who find their regular places in the liſts of the moſt accurate and attentive annaliſts, the accuracy of computation upon the lives and number of their monarchs to fill up the ſpace of time attributed to the continuance of their royal lineage, the phyſical diſcoveries of their very ancient cultivation, the extreme probability of all the leading coincidences, the attempts of their conquerors to eradicate all the veſtiges of their antiquity and ſplendor, the teſtimony of ſtrangers as to the belief of the natives, and the very traditions of a people who have preſerved their language for 3000 years, all tend to raiſe a monument of hiſtorical veracity, which ignorance, prejudice, malice, envy, or traduction, will never be able to overturn.

* The like was done in Scotland under our firſt Edward.

Davies

Davies ſaid, that "had this people been granted the benefit of the Engliſh "laws, it would goe infinitely farther towards ſecuring their obedience, than "the deſtruction of all the books and laws ever publiſhed in this kingdom." We have happily lived to ſee a legiſlative union of the two countries, which will, it is truſted, by the natural workings of the Britiſh Conſtitution, go further in three years towards the deſtruction of national prejudice and diſaffection, than a mere communication of laws did in three centuries.*

Notwithſtanding this legiſlative caution againſt hiſtorical proſtitution, few hiſtories are ſo charged with fable, as the Annals of Ireland. For beſides ſuch hiſtoriographers, as ſubmitted their productions to the inveſtigation of the *Fes*, every family of conſequence retained bards to celebrate and record their actions, who from the very nature of their dependant ſituation could not be expected to adminiſter that hiſtorical juſtice, which the ſtate hiſtorians were neceſſitated to do, as being penſioned by the public, and ſubjected to the authority of the triennial convocation. Theſe private hiſtories being written in verſe, admitted of all the aids of poetical fire and fancy, to raiſe, flatter and provoke the paſſions. Large and ample revenues were aſſigned to the public heralds, phyſicians, harpers and bards: and although they were hereditary, yet, as before obſerved, the eldeſt ſon did not regularly ſucceed to the employment and eſtate, unleſs he were the moſt accompliſhed of his race in his particular profeſſion.

To this day the native Iriſh have a peculiar taſte for muſick and poetry: every excellence and extraordinary talent is with them ſtill holden in the higheſt eſtimation; as it formerly was rewarded with emolument and honor. Anciently the arts of poetry and muſick were cultivated by the Iriſh (or *Scots* as they were then called) to a degree of extravagance. The manners of the people were engrafted on this ſtock. The arts themſelves were conſidered to be of divine original, and ignorance of them was judged a ſufficient exception to a man's elevation to any important ſervice or dignity in the ſtate. The hiſtory of their nation, all the placits or acts of their legiſlators, and all their ſyſtems, philoſophical, metaphyſical and theological, were conveyed in the harmony of ſound and verſe. Such ſubjects formed the chief diverſion of their feſtive hours. They were ſung by their princes bards

* In the middle of the laſt century Biſhop Berkeley obſerved "though it is the true intereſt of both nations to become one people, yet neither ſeem apprized of this truth." Warn. Hiſt. p. 30.

and crotaries with vocal and inſtrumental accompaniments.* Beſides the other duties of their profeſſion the bards acted as heralds: clad in white flowing robes, and accompanied by muſicians, they marched with the chiefs at the head of their armies, which they animated by martial ſtrains, ſung to harp accompaniments. They ſung alſo the funeral panegyricks of ſuch as fell honorably in battle. The excellence of the Iriſh in †athletic accompliſhments has through all ages been proverbial. The variety of revolutions, convulſions, diſtreſſes and oppreſſions under which Ireland has at different times laboured, prevents us from tracing any uniform national taſte or diſpoſition for the cultivation or improvement of the ſoil. ‡

The

* A national ſtile or character of muſic is the moſt inconteſtible proof of the nation's diſpoſition to harmony. Cambrenſis, the determined enemy of the Iriſh nation, ſays notwithſtanding, *of all the nations within our own knowledge, this is beyond compariſon the firſt in muſical compoſitions.* Ann. 4. Mag. This was ſaid ſome centuries back. *Geminiani*, that great maſter of harmony, has more recently affirmed, that he found no muſic on this ſide of the Alps ſo original and beautiful as the Iriſh airs.' O'Con. D. p. 72.

† All athletic accompliſhments will be cultivated in proportion to the encouragement given to them by public inſtitutions. Long before the Chriſtian æra one month was dedicated to gymnaſtic exerciſes in every year, and that they might be the more generally frequented, the fineſt ſeaſon of the year was choſen for this purpoſe, viz. from the middle of July to the middle of Auguſt, which in Ireland is as early as the harveſt uſually begins. They conſiſted of all ſorts of military exerciſes, horſe and foot races, wreſtling, and other ſuch conteſts of ſtrength and art. They were holden at *Tailton*, in *Meath*, and were eſtabliſhed by one of their favorite monarchs, *Lugha Lam Fada:* and the firſt of Auguſt is to this day called in Iriſh *La'h Lugh Naſa*, which means a *day* devoted to the memory of *Lugha*. See *Keating* Reign of *Lugha* and *Ogyg*, 3 pt. c. 13.

‡ Hence the old Iriſh ſaying, that *Ireland was thrice under the ploughſhare, thrice it was wood, and thrice it was bare.* The hiſtorical relations of the former population, cultivation and natural opulence of this iſland, need no other proof than the various diſcoveries of their ancient relicks, which ſtamp them with an authenticity, that baffles all ſcepticiſm, ignorance or malice. Many unſatisfactory conjectures have been made of the original cauſes and formation of bogs in Ireland; every hypotheſis which goes to account for them from the conflux of rain, river, and ſpring waters rotting and rendering the ſurface of the ſoil ſpungy, or from the neglect of cultivation, or any other gradual cauſe, ſeems untenable, if we credit the daily diſcoveries made under the boggy ſubſtance, of every ſpecies of trees, always lying in the ſame direction (from weſt to eaſt) hazle trees in full bearing, the furrowed relicts of tillage, culinary utenſils ſtill filled with unctuous ſubſtance, all ſorts both of military and civil implements uſeful and ornamental, of maſſy gold, ſilver, braſs and compoſition, all of equal and great antiquity: all which circumſtances beſpeak ſome ſudden convulſion of nature, and that in the ſummer ſeaſon, which overwhelmed the country and at once encruſted the then cultivated ſurface, with all that was upon it, with this ſpungy ſubſtance,

the

The obſcurity of the firſt period of the Hiſtory of Pagan Ireland was put an end to by letting in the light of the Goſpel: for with the introduction of Chriſtianity a new ſet of hiſtorians or annaliſts ſprung up, new repoſitories of learning were eſtabliſhed, foreign connections were much extended, and the learned languages were brought into uſe. It is to be lamented, that the Chriſtian ſpirit of candor and truth has ſo little influenced moſt modern hiſtorians of Chriſtian Ireland. Suffice it to ſtate, what is indeed aſſerted by all ancient authors and admitted by the moſt reſpectable modern writers, that St. Patrick was ſent *by Celeſtine Biſhop of Rome to preach the Goſpel to the Iriſh, together with twenty aſſiſtants eminent for their virtue and learning. †

the careful removal of which at this day, demonſtrates a former ſtate of cultivation and opulence. The ſilence of all hiſtorians upon ſuch a ſudden calamity or viſitation of God upon the land, is certainly a ſtrong preſumption againſt this hypotheſis. And that Ireland formerly ſuperabounded (as it certainly ſtill does, if properly exploded and worked) with gold, ſilver, lead, tin, copper, coals and other minerals, is inconteſtable from the diſcoveries of half-worked mines, and the ſolidity of implements of gold and ſilver conſtantly diſcovered; the laws for the annual or occaſional payment of given quantities of gold and ſilver; the concurrence of all ancient hiſtorians and conſtant recent appearances, inſomuch that the parliament of Ireland in 1796, voted 1000l. to be applied towards making an experiment for working a gold mine in the mountains of Wicklow. 36 Geo. III. c. 1. ſ. xxxi: Many pounds of pure gold having been waſhed down from theſe mountains about that time.

* Whether or no it pleaſed the Almighty to confirm the preaching of this apoſtle of the Iriſh by all or any of the ſigns and prodigies, which are recorded in the early hiſtory of his miſſion is irrelevant to the ſcope of this hiſtory to examine. But it is material to know, that the faith which was preached by St. Patrick to, and received by the Iriſh, was, that which is now denominated the *Roman Catholic Faith.* It could in fact have been no other. For St. Patrick received his Chriſtian Education, as well as his *Surname Patricius* at Rome: nor is it to be preſumed that Pope Celeſtine ſent St. Patrick to preach other doctrines, than what he himſelf maintained: and what theſe were may be eaſily collected, not only from the writings of St. Patrick and ſome of his co-apoſtles in that country, but from thoſe of his cotemporaries, Sts. Hierome, Ambroſe, Auguſtine, &c. &c. After the introduction of Chriſtianity and the eſtabliſhment of a regular Hierarchy throughout the iſland, the communication of Ireland with Rome became, by the intervening diſtractions of the continent, leſs frequent than it had been. In about two centuries after the eſtabliſhments made by St. Patrick, there broke out a ſort of ſchiſm between the Church of Ireland and the Church of Rome, not indeed upon any dogmatical points of faith or religion, but upon the mere point of Eccleſiaſtical Diſcipline, as to the mode of computing the time for celebrating Eaſter. After ſome contention the Iriſh Church ſubmitted to the Roman Ordinance. The native Iriſh boaſt that never ſince this difference has the Iriſh Hierarchy been interrupted.

† Dr. Warner admits that *he went to Rome to be conſecrated for his miſſion.* Hiſt. 273. St. Patrick flouriſhed in the 5th century, and was cotemporary with St. Auguſtin, St. Ambroſe, &c.

Under the bleſſing of God, St. Patrick and his coadjutors applied themſelves with the utmoſt aſſiduity to the work of their miſſion; and their ſucceſs exceeded all human expectations. In no land did the Goſpel make ſuch rapid progreſs; in none was it ſo ſlightly oppoſed at it's firſt introduction. The people, ſays an hiſtorian, received the doctrines of Chriſtianity with a ſpiritual ſort of violence. Thoſe, therefore, who diſcover the hereditary traces of a national ſpirit under the various modifications, which time produces, will not wonder, that what the nation ſo received, it ſhould adhere to with a violent ſort of tenacity: and it is certainly a political axiom, that tenderneſs and even reverence are to be paid to the conſcientious convictions of a people, be they what they may.

Whether the facility, with which the firſt Chriſtian miſſionaries propagated their divine doctrines, were in any manner owing to the ſuperior ſtate of letters and other civil cultivation in Ireland, is now difficult to determine. It has indeed been ſaid, that Chriſtianity ever met with the leaſt oppoſition from the moſt learned and civilized nations. But how does this accord with the perſecutions from heathen Rome? Certain it is, that Chriſtianity was introduced into Ireland with leſs change or violence to the civil inſtitutions of the country, than in any inſtance recorded in hiſtory; and it is truly ſingular, that within the ſhort ſpace of five years after St. Patrick had opened his miſſion, he was ſummoned to ſit and aſſiſt in the convention or parliament of Tarah. He was appointed one of the famous Committee of Nine, to whom was intruſted the reform of the ancient Civil Hiſtory of the Nation, ſo as to render it inſtructive to poſterity. Literary eſtabliſhments had ſubſiſted in Ireland from the moſt remote antiquity: and it has been before remarked, that talent and ſcience had ever been in the higheſt eſtimation with the Iriſh nation: it may not then be unfair to conclude, (barring any extraordinary interpoſition of the Deity) that had not theſe miſſionaries particularly exerted themſelves in their attentions to erudition, their proſelytes would have been leſs numerous, leſs tractable and docile than they were. Chriſtian ſchools and ſeminaries were eſtabliſhed in oppoſition to thoſe of the Druids: and as Paganiſm declined, they multiplied and flouriſhed; inſomuch that from the 5th to the latter end of the 9th century the Iriſh nation was preeminently diſtinguiſhed above all the nations of Europe, as the firſt ſeat of literature and ſcience. When we conſider, that ſince Ireland has become connected with, or rather ſubjected to England, it has ceaſed to perform the part of a nation on the

the political theatre of the univerſe, we bring our minds with difficulty to believe the accounts of her leading eminence on that very theatre before ſuch connection or ſubjection took place. However, natives, foreigners, friends and enemies, all in perfect uniſon, extol the præexcellence of that learning of the Iriſh clergy, which attracted the youth of the moſt reſpectable families of every nation in Europe, to their ſeminaries for education. Venerable Bede, not only confirms this as to his own countrymen, the Anglo-Saxons, but records an inſtance of national generoſity and hoſpitality in the Iriſh, which ſtands ſingle and unprecedented in the annals of mankind. Such of our anceſtors, as went over to Ireland either for education, improvement or for an opportunity of living up to the ſtricteſt aſcetic diſcipline, were maintained, taught, and furniſhed with books without fee or reward.* In Ireland did our great Alfred receive his education. Bede informs us that the Anglo-Saxon King Oſwald applied to Ireland for learned men to teach his people the principles of Chriſtianity. And a foreign writer† under the French monarch Charles the Bald, ſays; "why ſhould I mention Ireland? Almoſt "the whole nation deſpiſing the dangers of the ſea reſort to our coaſts with a "numerous train of philoſophers." In the 7th century the Emperor Charlemagne paid a juſt tribute to the celebrity of the Iriſh monarchy, by honouring their ſovereign with his alliance and friendſhip.‡ This ſtate of

* "A moſt honorable teſtimony," ſays Lord Littleton, "not only to the learning, but alſo "to the hoſpitality and bounty of that nation." It would be unjuſt not to notice that innate ſpirit of hoſpitality, which diſtinguiſhes the Iriſh nation from all others. For even to this day amongſt the poor natives, ſo univerſally does this ſyſtem of hoſpitality prevail, that a traveller enters the cabin he arrives at, and ſits down with as much eaſe and confidence as he would at home; and is ſure of a cordial welcome to a participation of whatever it affords. There was an old Brehon law againſt ſepts ſuddenly breaking up their eſtabliſhments, and emigrating to other parts of the country, leſt the ſtranger and traveller might be diſappointed of that reception and entertainment, which the law preſumed them entitled to by a claim of ſocial nature. It is the cuſtom to this day with the native Iriſh peaſants, to unlatch and open the door of their cabins whenever they ſit down to what they call a meal. This amiable and magnificent principle of hoſpitality is more diſcernable in the frank participation of the homely fare of the cabin, than in the oſtentatious diſplay of refined luxury, which, in the higher orders, has taken place of that genuine principle of benevolence. Leland obſerves, the Chriſtian clergy were particularly careful to inculcate this value of hoſpitality. Prelim. Diſ. xxxi.

† Henrick of St. Germain.

‡ A monument of which was preſerved in tapeſtry in the late palace of Verſailles, in which the King of Ireland with his harp was in the row of princes in amity with that emperor.

preeminence

preeminence which Ireland ſo long enjoyed* amidſt all the nations of Europe, ſhews to what a degree of conſequence ſhe is capable of riſing, when her native energies and powers are not croſſed by internal diviſions, or damped by foreign power, oppreſſion, and intrigue. What but union with Great Britain could ſo effectually withdraw the checks and obſtacles too long thrown in the way of Iriſh greatneſs, and effectually ſtimulate that people to emulate their priſtine glory?

Ere I conclude this chapter, hiſtorical juſtice demands the refutation of a charge generally preferred againſt the Iriſh, of lawleſs intractability. I wiſh the imputation originally lay as much in ignorance, as in malevolence. In no nation of the earth, but Ireland, have we witneſſed that the arts and ſciences have flouriſhed amidſt the horrors and devaſtations of war. This was owing to the reverence and eſteem, in which the Iriſh ever held the profeſſors of the polite arts and ſciences, and the miniſters of religion. In like manner did they revere and hold as ſacred the adminiſtration of juſtice. Even a conſtant inteſtine war of 400 years, nouriſhed and kept alive by different Engliſh deputies, could not eraſe thoſe exalted principles. Finglaſs, chief baron of the exchequer in the reign of Henry VIII, ſays, "that the Engliſh ſtatutes "paſſed in Ireland are not obſerved 8 days after paſſing them, whereas thoſe "laws and ſtatutes made by the Iriſh on their hills, they keep firm and ſtable "without breaking them for any favor or reward." Sir John Davies, who had ſtill better opportunity of knowing the Iriſh (as being the firſt Engliſh juſtice, that ventured on circuits out of the pale, aſſures us, "that there is no "nation under the ſun, that love equal and indifferent juſtice better than the "Iriſh; or will reſt better ſatisfied with the execution thereof, although it be

* There happened about the year of our Lord 1418, a very notable tranſaction, which proved the high eſtimation in which the kingdom of Ireland then was, and ever had been, holden by the learned of Europe. At the council of Conſtance the embaſſadors from England were refuſed the rank and precedency, which they claimed over ſome others; they were not even allowed to rank or take any place as the embaſſadors of a nation: the advocates for France inſiſted, that the Engliſh having been conquered by the Romans, and again ſubdued by the Saxons, who were tributaries to the German empire, and never governed by native ſovereigns, they ſhould take place as a branch only of the German empire, and not as a free nation; for added they, "it is evident from Albertus Magnus, "and Bartholomew Glanville, that the world is divided into the three parts, Europe, Aſia, and "Africa (America had not then been diſcovered): Europe was divided into four empires, the "Roman, the Conſtantinopolitan, the Iriſh, and the Spaniſh." The Engliſh advocates admitting the force of theſe allegations, claimed their precedency and rank from Henry's being Monarch of Ireland only, and it was accordingly granted. O'Hal. 1. v. 68.

againſt

"againſt themſelves." This muſt be conſidered as the teſtimony of an enemy, written at the concluſion of a moſt bloody war for 15 years, and therefore more pointedly clears the Iriſh of this unfounded accuſation. The additional teſtimony of Sir Edward Coke, whoſe candor did not on all occaſions keep pace with his learning, ſhall cloſe this chapter: * "For I have been informed "by many of them, that have had judicial places there, and partly of mine "own knowledge, that there is no nation of the Chriſtian world, that are "greater lovers of juſtice than they are, which virtue muſt of neceſſity be "accompanied by many others."

* 4 Inſt. 349.

PART I.

OF THE STATE OF THE IRISH FROM THE INVASION UNDER HENRY PLANTAGENET TO THE REFORMATION OF RELIGION UNDER HENRY VIII.

THE object of the preceding chapter was to repreſent the ſtate of Ireland, and the native powers, diſpoſition, and character of the Iriſh, independently of any connection with England. We have ſeen the Iriſh to be a people endowed with great powers both of mind and body, of quick ſenſibility and impetuous retort, lovers of the arts and ſciences, and enthuſiaſtic encouragers of talent, devotees to religion and its miniſters, warlike, brave and prodigal of life, inflated with the pride of anceſtry, and violently led away with thoſe national prepoſſeſſions, which, whilſt they operate ſelf-love and eſteem (by ſome called *patriotiſm*) on one hand, ſeldom fail of producing contempt or hatred of foreign nations on the other. In a word, we have ſeen them a people ſuper-eminently gifted by nature with all thoſe active principles of public virtue, which, when properly directed, enſure the attainment of national happineſs, proſperity, and conſequence. But it has ever been the bane of Ireland to be diſtracted with internal diſcord. This part compriſes a period of nearly 400 years; and it demands our peculiar attention, inaſmuch as it was a long teſt of the mutual diſpoſition and relative conduct of the two nations of England and Ireland to each other, whilſt both profeſsed the ſame religion. It is the more neceſſary to be cloſely attentive to this circumſtance, by how much Ireland, in latter days, has ſuffered on the ſcore, under the pretext or by the abuſe of religion. No convictions, no prepoſſeſſions on any ſide can be ſo violent, as to preclude the moſt poignant grief, that the ſacred cauſe of religion ſhould have been ſo often perverted to ends diametrically oppoſite to its benign inſtitutions.

The latter part of the Iriſh hiſtory, immediately preceding the invaſion of that kingdom by the Engliſh, preſents to us a continued ſcene of inteſtine diſſention, turbulence, and faction. About the year of our Lord 1166, Roderic O'Connor, who was of the houſe of Heremon, and therefore of undoubted *Mileſian* ſtock, was raiſed to the monarchy, and generally ſubmitted to by the whole kingdom. His proſpect of a happy and peaceful reign was ſoon clouded by the revolt of ſeveral of the petty kings or princes, who had ſworn allegiance to him. Scarcely had he reduced them to obedience, when he was called upon by O'Rourke, king of Breffny, to aſſiſt him in avenging himſelf of Dermod, king of Leinſter, by whom he had been groſsly injured. Whilſt O'Rourke was abſent on a pilgrimage (a faſhionable devotion in thoſe days), his wife, who had long conceived a criminal paſſion for the king of Leinſter, conſented to elope, and lived with him in public adultery.* O'Rourke ſucceeded in rouſing the monarch to avenge his cauſe, and immediately led a powerful force to his aſſiſtance. The whole kingdom took fire at the perfidy and iniquity of Dermod, who looked in vain for ſupport from his own ſubjects. He was hated for his tyranny, and the chieftains of Leinſter not only refuſed to enliſt under his banner in ſo iniquitous a cauſe, but openly renounced their allegiance. Dermod thus deſerted by his ſubjects was enflamed with rage at the diſappointment, and reſolved to ſacrifice his all to perſonal revenge. Unable to weather the ſtorm that was gathering, he took ſhipping, ſecretly, and repaired to Henry II. who was then in France, for protection and revenge.

It would be foreign from my purpoſe to notice the various accounts of different annaliſts, as to the preciſe date of the elopement of O'Rourke's wife; the flight of Dermod to Henry the Second; the firſt views and intentions of our monarch in invading Ireland; or thoſe curious donations or cruſading grants of the kingdom of Ireland, from Adrian IV. and Alexander the Third † to the Engliſh monarch: ſuffice it to ſay, that few or no misfortunes have befallen that country, from this period, whereof on

* Abſtractedly from the breach of morality, the Iriſh annexed the higheſt importance to conjugal infidelity; for as purity of blood was one of the fundamentals of their conſtitution, accordingly the offering violence to a woman, ſo early as the reign of their great and wiſe monarch Ollam Fodlah, was made puniſhable with death, and out of the power of the monarch to pardon.

† Vide Appendix, No. I.

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ſome ſide or other the abuſe of religion has not aggravated the calamity. The year of Chriſt 1152 is the epoch at which all our writers, from Archbiſhop Uſher down to Dr. Leland, fix the full and unequivocal ſubmiſſion of the Iriſh Church to the See of Rome.* Uſher has laboured to prove a difference in the Iriſh Church from the Church of Rome, before this period, in doctrine, diſcipline, and communion; yet he and all other writers admit that from the aſſembly at Kells (ſome ſay Drogheda), at this period, where there were 3000 of the clergy convened, as an unequivocal mark of their entire union and communion, in all things, with the See of Rome, the four archbiſhops of Armagh, Dublin, Caſhel, and Tuam, received the pall from Cardinal Paparon, who was admitted into Ireland with a legatine commiſſion; and from thenceforth the Iriſh prelates formally ſubmitted to, and recogniſed the ſpiritual ſupremacy of the biſhop of Rome.

Imagination can ſcarcely invent a pretext for the biſhop of Rome's exceeding the line of his ſpiritual power, by the formal aſſumption of *temporal* authority over independent ſtates. Such acts of power have, however, been moſt unwarrantably exerciſed by the Roman pontiffs, and moſt unaccountably ſubmitted to by temporal ſovereigns. Adrian IV. was an Engliſhman, and therefore the more blameable in proſtituting the ſpiritual ſupremacy to the wicked purpoſe of forwarding the ambition of his own ſovereign. The Iriſh

* Dr. Leland ſays, p. 7. *Thus was the correſpondence opened with the Church of Ireland, and the pre-eminence of Rome formally acknowledged.* From the unaccountable and perhaps unjuſtifiable purport of this bull, breve, or letter of Adrian, by which he gave Ireland to Henry the Second, ſome Catholic writers have conceived it impoſſible that it ſhould have really iſſued from the Vatican. Father Alford, an Engliſh jeſuit, ſtrongly denied its authenticity (Bow. Hiſt. of Popes, 6 vol. 108); and Abbe Gheoghegan moſt ſtrenuouſly labours to prove it a forgery, from a variety of reaſons, which he works up into a diſſertation upon the ſubject. One of the chief grounds of his aſſertion is the profligate character of Henry, which rendered him unfit for an apoſtle. He contends that the pope was miſinformed as to the ſtate and cultivation of religion in Ireland: and he alſo combats his holineſs' aſſumption of a right to diſpoſe of all iſlands that ever had received the light of Chriſtian faith; and concludes that it was a forgery from its not having been publiſhed till the year 1171, notwithſtanding it bears date in December 1154. *(Vide Geog. Hiſt.* 1 *vol.* 438 *to* 462.*)* The pontificate of Adrian laſted only about five years, viz. from the 3d of December, 1154, to the 4th of September, 1159. The abbe alſo draws another reaſon in ſupport of his favourite theſis from its appearance in Baronius without a date. But, aſſuredly, an author of Baronius's credit and reſpectability, poſſeſſing the readieſt means of aſcertaining the truth, never will be ſuſpected of having publiſhed a forgery as an authentic act of the ſovereign pontiff.

nation, however, drew the true line of demarcation between the ſpiritual and temporal power, by reſiſting this mock donation of the kingdom to a foreigner; a diſtinction which the nation has generally made, but which before the acceſſion of his preſent majeſty it had not been allowed to give earneſt of upon oath. If any thing can ſtrongly paint the abuſive profanation of religion, it certainly is Henry's attempt to gloſs over with the ſanctified varniſh of ſpiritual ſanction the infamous ſupport of an adulterous tyrant, and the more iniquitous efforts of his own ambition and uſurpation. Poſſibly King Henry may have relied more upon the devotion of the Iriſh to the Roman mandate than upon the power of his arms. In the firſt, he was diſappointed; and he would have failed in the latter, had Ireland been united in itſelf.

Dermod made a moſt humiliating addreſs and a canting repreſentation of his ſufferings to Henry, whom he found in Acquitane; promiſing, that if through his powerful interpoſition he ſhould recover his loſt dominions, he would hold them in vaſſalage of Henry and his ſucceſſors for ever. This fell in with the ambitious views of our monarch; but his affairs being then too much embarraſſed to allow him to undertake any enterprize in perſon in favour of the guilty fugitive, he encouraged Dermod by promiſes of vigorous ſupport, and gave him in the mean time letters of credit and ſervice to ſuch of his ſubjects as ſhould be ready and willing to aſſiſt him in the recovery of his dominions. With theſe recommendations and credentials, Dermod repaired to Briſtol; which in thoſe days was the chief port of communication with Ireland. Here he engaged with Richard Earl of Pembroke, ſurnamed *Strongbow*, to give him his daughter in marriage, and ſettle his kingdom upon him, in caſe, by his aſſiſtance, he ſhould regain poſſeſſion of it. To Robert Fitz-Stephens and Maurice Fitz-Gerald he promiſed the city of Wexford and the adjacent country, on the like condition of ſucceſs. The ſpirit of adventure, backed by the encouragement of the king (who intended to avail himſelf of the ſucceſſes of theſe adventurers to acquire a permanent footing in Ireland), induced Strongbow and his co-adventurers to prepare a reſpectable force for ſupporting the efforts of Dermod to regain poſſeſſion of that territory, out of which they were to reap ſo luxuriant a harveſt. Dermod, in the mean while, went over in diſguiſe and ſpent the winter in the monaſtery at Ferns, which he had founded; there he buſied himſelf in preparations for the intended invaſion and waited the return of the ſpring,

when

when the promiſed ſuccours were to be ſent out from England. They did arrive; and, by a moſt unexpected turn of fortune, Dermod was reinſtated in his ancient rights. Various are the ſtatements of the Britiſh forces landed in Ireland on this expedition. None extend them beyond 3000, including the friends and adherents of Dermod who joined them after their landing. It is to be remarked, that this prince, notwithſtanding his tyranny and flagitious conduct rendered him odious to the ſteady and thinking part of his ſubjects, yet being of a comely and robuſt ſtature, of athletic powers and boiſterous intrepidity, he was much favoured by the lower claſſes, by which ſuch perſonal accompliſhments are highly prized: theſe perſons he was anxiouſly careful to flatter, favour, and protect. His ambition alſo prompted him to ſecure the favor and countenance of the clergy (under whoſe guidance he conſidered the lower order of the people conſtantly to move), by bounties, largeſſes, and foundations, which he ſubſtituted for thoſe acts of benevolence and virtue, that ought alone to have ingratiated him with this ſelect order. Theſe were the inſtruments upon which he reſted his ambition, and ultimately they did not fail him. It is painful to read the inſtances of inhumanity by which the Engliſh adventurers violated their treaties, and defiled their victories by the maſſacre of their priſoners. The perſonal preſence of Henry II. and the ſeveral aggreſſions of *Strongbow* with freſh reinforcements under Henry's reign, all ended in making ſome colonial lodgments on the ſea coaſt, and inſtilling into the natives a dread of the Engliſh arms and diſcipline, and a hatred of their name and race. So ſays Sir *John Davies*;—"he (Henry) departed out of Ireland without ſtriking "one blow, or building one caſtle, or planting one garriſon among the "Iriſh; neither left he behind him one true ſubject more than thoſe that "he found there at his firſt coming over, which were only the Engliſh "adventurers ſpoken of before, who had gained the port towns of Leinſter "and Mounſter, and poſſeſſed ſome ſcopes of land thereunto adjoining, "partly with Strongbow's aſſurance with the land of Leinſter, and partly by "plain invaſion and conqueſt. And this is that conqueſt of King Henry II. "ſo much ſpoken of by ſo many writers, which though it were in no other "manner than is before expreſſed, yet is the entire conqueſt of all Ireland "attributed to him."

It is uſual with moſt of our writers to repreſent the force which theſe adventurers landed, in ſuch formidable colors, as if nothing in Ireland could

could withſtand it; but every day's experience teaches us the incalculable advantages of diſcipline over numbers, ſtrength, and valor. The Iriſh nation cannot be ſaid to have oppoſed this invaſion; ſome Iriſh families, indeed, did oppoſe it; and becauſe they oppoſed it ſeparately, they were ſeparately defeated. After the ſiege of Dublin, Roderic O'Connor had diſbanded his army, when O'Rourke, with his own clan of Breffny, made a vigorous aſſault upon the town; the ſpirit of which, ſays Leland,* proved that the forces of one Iriſh chieftain, united and obedient, were really more formidable than much more conſiderable numbers collected from different provinces, without mutual harmony or ſubordination. It is admitted on all hands, that ſeveral chiefs ſent over deputies to invite Henry to Ireland: the men of Wexford, O'Bryan of Thomond, and all the inferior chiefs of Munſter, vied with each other in the alacrity of their ſubmiſſion.

This æra of the Iriſh hiſtory exhibits the ſingular phænomenon of the Iriſh in the very meridian of papal aſcendancy in their country, which had been ſo firmly and ſo recently rivetted at the convocation of Kells, publickly diſregarding a bull from the Holy See, and fighting againſt the invader, who came armed with the plenitude of the high pontifical authority. Although, however, the Iriſh clergy of that day were too wiſe, and too honeſt, to permit their flocks to ſubmit to this ſtretch of temporal power in the ſupreme biſhop, by *receiving him* (the invader) *honorably, and reverencing him as their Lord*; yet if we may be allowed at this diſtant period to combine facts and narratives, the conſequence will be a fair ſuggeſtion, that this papal bull produced a certain effect upon the clergy, which rendered them leſs adverſe to the pretenſions of the Norman invader, than they otherwiſe would have been; for at the very critical moment when the preparations and plans of Roderic ſeemed to enſure the total ſubjugation of the kingdom of Leinſter, and the conſequent diſcomfiture of the invading ally of Dermod, then the clergy, in a body, waited on Roderic; and, proſtrating themſelves before him, beſought him to have pity on the country, and ſtop the further effuſion of Chriſtian blood. Through their interceſſion he commenced a truce, and at length granted peace to the king of Leinſter on very advantageous terms: for by it the latter was reinſtated in his dominions in as ample a manner as they had been enjoyed by any of his predeceſſors; he engaging to diſmiſs his foreigners and pay to O'Rourke 100 ounces of

* Vol. I. p. 65.

gold

gold for the injury he had received; and for the faithful performance of theſe conditions, he put into the monarch's hands his natural ſon and ſix of the principal of his nobility.

Without attempting a detail, much leſs a diſquiſition into the nature, dates, motives or cauſes of the different events which enſued during the reign of Henry, upon which the Iriſh annaliſts are much at variance, it will ſuffice to notice generally, that the princes of Munſter were the firſt who ſet the example of ſubmiſſion to their countrymen. The king of South Munſter did homage there to Henry for his country; and the king of North Munſter did the ſame, ſoon after, at Caſhell. The Engliſh ſovereign alſo received the homage of Strongbow for the kingdom of Leinſter, and the ſubmiſſion of the nobility of Leinſter, and of the Oſſorians in Dublin. Roderic, the monarch, though ſtill at the head of a powerful army, met Henry on the banks of the Shannon; and although nothing were finally concluded upon at this interview, it gave riſe to the treaty of peace ſoon after made at Windſor; and ſigned by the archbiſhop of Dublin, his chancellor, and the archbiſhop of Tuam, on the ſide of the Iriſh monarch, and by Henry's miniſters on the ſide of England.* We cannot collect from hiſtory the particular views and motives for the homages and ſubmiſſions which Henry received before his return to England. The treaty of Windſor certainly goes no further than a tributary acknowledgment of Henry as lord paramount; Roderic preſerving allegiance to Henry, and retaining the kingdom of Conaught with the ſame rights of royal ſovereignty he enjoyed before Henry had landed in Ireland. This, in truth, appears to be the extent of Adrian's bull; and I cannot refrain from attributing the ready ſubmiſſions of ſo many Iriſh kings and chieftains to the ſecret influence of the clergy, who might wiſh by any means to prevent a rupture with the See of Rome. I am the more confirmed in this idea from the language of that very bitter Memorial or Remonſtrance preſented by the Iriſh chiefs to Pope John XXII. in the reign of our ſecond Edward, when they called over Bruce from Scotland to reaſſume the monarchy of Ireland, and put an end to the Engliſh power in that iſland.† After having referred to

* Vide this treaty, App. No. II. The kingdom of Ulſter was not included in, or affected by this treaty, or any of the anterior ſubmiſſions or homages.

† This effort to regain the kingdom of Ireland was defeated, in the loſs of the famous battle of Athunree in the year 1315: it was the moſt bloody conteſt that ever took place between the two nations;

to a long ſtring of their monarchs who had ſacredly preſerved the Catholic faith, in the purity in which they had received it from St. Patrick, and who without any mixture of foreign blood had continued to reign in Ireland till the year 1170, it continues: "And thoſe kings were not Engliſhmen, "nor of any other nation but our own, who with pious liberality beſtowed "ample endowments in lands, and many immunities on the Iriſh Church; "though in modern times our churches are moſt wantonly plundered by "the Engliſh, by whom they are almoſt entirely deſpoiled. And though "theſe our kings ſo long and ſo ſtrenuouſly defended againſt the kings "and tyrants of different regions the inheritance given them by God, pre-"ſerving their innate liberty at all times inviolate, yet Adrian the Fourth, "your predeceſſor, an Engliſhman, more even by affection and prejudice "than by birth, blinded by that affection and the falſe ſuggeſtions of "Henry II. king of England, under whom, and perhaps by whom St. "Thomas of Canterbury was murdered, gave the dominion of this our "kingdom, by a certain form of words, to that ſame Henry II. whom he "ought rather to have ſtript of his own on account of the above crime. "Thus omitting all legal and juridical order, and alas! his national prejudices "and predilections blindfolding the diſcernment of ſuch a pontiff, without "our being guilty of any crime, without any rational cauſe whatever, he "gave us up to be mangled to pieces by the teeth of the moſt cruel and "voracious of all monſters," &c. Allowing largely for the irritation which embittered the language of theſe Iriſh remonſtrants againſt the oppreſſion of the Engliſh, it is impoſſible not to conceive, that unjuſt as the bull of Adrian was, yet it certainly operated in a great degree towards forwarding the ſubmiſſions made to Henry.*

There

nations; it happened on the 10th of Auguſt, and continued through the whole day from the riſing to the ſetting ſun. The Iriſh attacked with the moſt ferocious impetuoſity; but they were neither armed nor diſciplined: they were rather headed, than commanded, by Felim O'Connor. Such was the enthuſiaſm of his army, that above 10,000 of them fell in the field; amongſt which were twenty nine ſubaltern chiefs of Connaught. Tradition ſtates, that after this deciſive battle, the O'Connor family, like the Fabian, was ſo nearly exterminated, that throughout all Connaught not one of the name remained (except Felim's brother) who was capable of bearing arms.

* This is pointedly corroborated by a letter of the King of Ulſter to Pope John XXII. in which he ſays: "Your predeceſſor Adrian IV. who was by birth an Engliſhman, inſtead of puniſhing "Henry for invading the rights of the church, and the murder of the archbiſhop of Canterbury,

"has

There can be no other reaſon for referring the reader to theſe remote periods of the Iriſh hiſtory than that of enabling him to form a comprehenſive and comparative judgment of the great benefit conferred upon that country by its union with Great Britain. From theſe he will ſee how every other ſyſtem than that of a legislative union deviated from the principles of the Engliſh conſtitution; how the arrogance of conqueſt begat oppreſſion, how oppreſſion engendered hatred and implacable revenge: from theſe he will learn that the native diffidence, jealouſy, and hatred which the Iriſh ſhewed for ſo many centuries towards the Engliſh, originated not in the difference of religion; for even in the heat of the two laſt centuries they never were mounted to a higher pitch, and never were acted upon more uninterruptedly, than during that long ſpace of nearly 400 years, during which both nations profeſſed the ſame religion.

Henry having ſucceeded ſo far beyond his expectations, ingratiated himſelf with the chiefs, who had ſubmitted to him, not only by promiſes of protection and aggrandizement, but by magnificent preſents. Had he in fact faithfully complied with what he very judiciouſly engaged to perform, and ſecured to this people the conſtitution and laws of England,* which he made them ſwear to obſerve and uphold, no revolution could have been more fortunate for the nation; none more glorious to the monarch. But Henry thus early ſet the fatal example of perfidy and oppreſſion to the Iriſh. In lieu of his promiſes of future favors to the chieftains, he diſpoſſeſſed them of

" has delivered up our nation as a prey to his countrymen, or indeed rather to monſters, whoſe " cruelties are unparalelled." And " During the courſe of ſo many centuries (continues the " prince) our ſovereigns, jealous of their glory, never would ſuffer their independence to be " called in queſtion. Invaded more than once by foreign powers, they wanted neither courage to " attack, nor force to repel their enemies, and give freedom to their country. But that ſpirit, " which they oppoſed to force, they would not to the ſimple decree of Adrian your predeceſſor." No other obſervation is to be made, than that the clergy at the time were aſhamed to avow the conſequence they really annexed to this cruſading commiſſion of Adrian, and that cotemporary and ſubſequent hiſtorians either overlooked, ſuppreſſed, or diſclaimed it. Scoto-Chron. Vol. III. p. 908.

* This was done at the great council of Liſmore, where ſays Mat. Paris, *Leges Angliæ ſunt ab omnibus gratanter acceptæ.* It is alſo recorded by ſome, that at this council the bull of Adrian was read and approved of. A circumſtance which beſpeaks too prompt a ſubmiſſion of the clergy to the power of the day, but which fully juſtifies the obſervations already made upon the effects of that bull.

their honors and territories, and granted them out with the arbitrary prodigality of a conquering deſpot to his Norman adventurers, whom he raiſed at the ſame time to the rank of feudatory princes. Thus unfortunately was laid by the hand of power the corner ſtone of that rancorous animoſity, which has withſtood the revolutions of ſix centuries, to be laid at laſt by the ſoothing powers of an incorporate union. The natives, as was to be expected, diſappointed of their hopes, and ſtripped of their property and conſequence, endeavoured to re-enter their ſeveral countries by force.* Thus was the kingdom reduced to a more grievous ſtate of warfare and anarchy than it had ever ſuffered even under the Danes. England, which by uniting at that time with Ireland, would have acquired incalculable advantages, was in fact a ſufferer by the acceſſion of a country, which kept her for the ſpace of 400 years in conſtant alarm, expence, and warfare.

Notwithſtanding the nominal or pretended conqueſt of the whole kingdom of Ireland by Henry II. and the grant and confirmation thereof by the Popes Adrian and Alexander, the truth is, that the Engliſh power and authority during the reign of Henry II. was confined (and it ſo continued for above 400 years) to a certain diſtrict afterwards called the *Pale*. This comprized the counties of Dublin, Kildare, Meath, and Uriel, with the cities of Waterford, Cork, and Limerick, and the lands immediately ſurrounding them. Over the other parts of the kingdom, which were without the Pale, neither Henry II. nor any of his ſucceſſors, until the reign of James I. either had or even pretended to claim more than a naked ſovereignty, marked by nothing elſe than a formal homage, an inconſiderable tribute and an empty title. Inſomuch that Sir John Davies ſays, that "†England never "ſent over either numbers of men or quantities of treaſure ſufficient to de-"fend the ſmall territory of the *Pale*, much leſs to reduce that which was "loſt, or to finiſh the conqueſt of the whole iſland."‡ Accordingly the Engliſh adventurers governed their diſtrict by their own model; the native chiefs, though by far the greateſt part of Ireland, acted independently of the

* It ſhould not be forgotten, that the valiant Sir John de Courcy (afterwards made Earl of Ulſter) rather upon a private adventure, than under any royal commiſſion, made ſeveral ſucceſsful inroads into that province, ſecured ſome poſts on the coaſt, and was ſaid generally, though improperly, to have made a conqueſt of the whole province.

† Dav. Diſc. p. 69.

‡ Lel. 1. Vol. 154.

Engliſh

Engliſh government; made war and peace; entered into leagues and treaties, not only amongſt each other, but with foreign powers; puniſhed malefactors, and governed by their own laws, cuſtoms, and conſtitutions.* It requires but moderate attention to the records of theſe times, to learn what degree of real power Henry had acquired in Ireland, and leſs ſkill in politics, to aſcertain the rights he attempted to exerciſe over the Engliſh adventurers, or the native Iriſh in his fœderal tranſactions with each, whether we conſider the grounds of his invaſion, the nature and extent of their ſubmiſſions, or the purport of his ſtipulations.

It was the ill fated policy of the Engliſh government of that day, not only not to coaleſce and unite with the native Iriſh, but to go every poſſible length in fomenting and perpetuating diſſenſion, animoſity, and hatred between the two nations. "Hence it is," ſays Sir John Davies, than whoſe there cannot be better authority upon this point, "that in all the parliament rolls which are extant from the 40th year of Edward III. when the ſtatutes of Kilkenny were enacted, to the reign of King Henry VIII. we find the degenerate and diſobedient *Engliſh* called *Rebels*; but the *Iriſh*, which were not in the king's peace, are called *Enemies*. *Statute of Kilkenny*, c. 1, 10, and 11. 11 Hen. IV. c. 24. 10 Hen. VI. c. 1, 18. 18 Hen. VI. c. 4. 5 Edw. IV. c. 6. 10 Hen. VIII. c. 17. All theſe ſtatutes ſpeak of *Engliſh Rebels*, and *Iriſh Enemies*; as if the Iriſh had never been in the condition of ſubjects, but always out of the protection of the laws, and were indeed in a worſe caſe than aliens of any foreign realm, that was in amity with the crown of England. For by divers heavy penal laws, the Engliſh were forbidden to marry, to foſter, to make goſſippes with the Iriſh; or to have any trade or commerce in their markets and fairs. Nay, there was a law made no longer ſince than the 28th Hen. VIII. that the Engliſh ſhould not marry with any per-

* There are early documents to prove that the very power which had aſſumed the right of commanding the Iriſh to *receive Henry, and honorably reverence him as their Lord*, conſidered in fact his power confined to the *Pale*. For by the commiſſion of the Pope's legate in the time of Richard the Firſt, whereby he had power to exerciſe his legatine authority, we find it confined to certain limits, viz. *in Angliâ, Walliâ, ac illis Hiberniæ partibus, in quibus Johannes Moretonii Comes poteſtatem habet et dominium*. Mat. Par. fo. 1519.—Henry II. gave the lordſhip or ſovereignty of Ireland to his ſon John, created Earl of Moreton, and afterwards King. There are ſtrong differences amongſt hiſtorians concerning the nature of this grant. Richard was too much engaged in other purſuits to queſtion it. And upon John's acceſſion to the throne, all the rights of Henry concentered in him as King of England.

ſon of Iriſh blood, though he had gotten a charter of denization, unleſs he had done both homage and fealty to the King in the Chancery, and were alſo bounden by recognizance in ſureties to continue a loyal ſubject. Whereby it is manifeſt, that *ſuch as had the government of Ireland under the crown of England did intend to make a perpetual ſeparation of enmity between the Engliſh and the Iriſh.*" So far Sir John Davies up to his time; and would it could be truly added, that this ſyſtem had never been kept up ſince that period; the union neceſſarily prevents it in future.

The ſame author, who was an Engliſhman, a ſervant of the crown, and a man well verſed in the laws and conſtitution of England, gives further evidence of that pernicious principle of narrow, crooked, ſelf-intereſted policy, acted upon by the ſervants of the crown in Ireland, in defiance of the more generous and liberal ſentiments that prevailed on this ſide of the channel. In order to let in the full effect of his evidence, he firſt clears away the only objection that poſſibly could be raiſed againſt the Iriſh. Perhaps, ſays he, the Iriſhry in former times did wilfully refuſe to be ſubject to the laws of England, and would not be partakers of the benefit thereof, though the crown of England did deſire it; and therefore they were reputed *Aliens, Outlawes, and Enemies.* But the contrary was manifeſt, not only from the number of charters of denization purchaſed by individuals, but by the general petition preferred by the Iriſh to King Edward III. for a general naturalization act, in order to ſuperſede the neceſſity of further letters of denization. The King was for it; but the baneful policy of the Iriſh government oppoſed it: this prince, like many of his ſucceſſors, gave too eaſy credit to his diſtant ſervants, whoſe intereſt it was to deceive him. He ſatisfied his own conſcience, by publicly referring the matter to his Iriſh counſellors, who, as Sir John Davies collects, adviſed the King, that *the Iriſhry might not be naturalized without damage or prejudice either to themſelves or to the crown.* This feature in the Iriſh hiſtory particularly commands our notice: its ſingularity muſt furniſh each reader with his own obſervations. Here was the voice of the Iriſh nation conveyed in reſpectful terms to the throne of England, praying for an union of laws and conſtitution, referred to an Iriſh parliament, and by them rejected.* *Hinc illæ lachrymæ!* Upon

* The authors of the Univerſal Hiſtory ſay, that this application from the Iriſh was backed by an offer of 8000 marks to Ufford, then chief governor, for the king's uſe; and they obſerve, that "their "deſire was fatally counteracted by thoſe, *whoſe duty it was to promote a meaſure ſo well calculated* "for the benefit of their country."

this

this, ſays Leland, " the reſentment of the Iriſh, naturally violent, and now " too juſtly provoked, broke out in an inſurrection, projected with greater " concert, and executed with more violence, than for ſome time had been " experienced."

The reflections of Sir John Davies upon this ſtate of the Iriſh, made about 200 years ago, may be thought by ſome to depict the fatal policy of the Engliſh government towards Ireland with more faithful impartiality, than a modern writer would receive credit for. " This then I note as a great defect " in the civil policy of this kingdom, in that for the ſpace of 350 years at " leaſt after the conqueſt firſt attempted, the Engliſh lawes were not com- " municated to the Iriſh, nor the benefit and protection thereof allowed " unto them, though they earneſtly deſired and fought the ſame. For as " long as they were out of the protection of the lawe, ſo as every Engliſh- " man might oppreſſe, ſpoyle, and kill them without controulment, howe " was it poſſible they ſhoulde bee other then outlawes and enemies to the " crowne of England. If the King woulde not admit them to the condition " of ſubjects, how could they learn to acknowledge and obey him as their " Soveraigne? When they might not converſe or commerce with any civill " men, nor enter into anie towne or citty without perill of their lives, whi- " ther ſhould they flie but into the woods and mountains, and there live in " a wilde and barbarous manner? If the Engliſh magiſtrates would not rule " them by the law, which doth puniſh treaſon and murder and theft by " death: but leave them to be ruled by their own lords and lawes, why " ſhould they not embrace their own *Brehon* law, which puniſheth no of- " fence, but with a fine or erich? If the Iriſh bee not permitted to purchaſe " eſtates of freehold or inheritance, which might deſcend to their children " according to the courſe of our common lawe, muſt they not continue their " old cuſtom of taniſtrie, which makes all their poſſeſſions uncertayne, and " brings confuſion, barbariſm, and incivilitie? In a word, if the Engliſhe " woulde neither in peace govern them by lawe, nor could in warre roote " them out by the ſword, muſt they not needes bee prickes in their eyes, " and thornes in their ſides till the worlde's end?"

This blind infatuation of the Engliſh government in their conduct towards Ireland, is wholly unaccountable. For although they had not full poſſeſſion of one third of the iſland, they cantonized the whole country amongſt ten Engliſh families, and called themſelves owners and lords of all. Nothing

was

was left to be granted to or enjoyed by the natives: nor is there a record for the ſpace of 300 years and upwards after the invaſion, of any grant made to an Iriſh lord of any land, except a grant from the crown to the king of Thomond, of his land during the minority of Henry III. and the before-mentioned grant, or rather treaty with the king of Conaught. Theſe Engliſh grantees became a new ſet of petty ſovereigns to the irreparable damage of the country. And Sir John Davies aſſures us, that our great Engliſh lords could not endure that any kings ſhould reign in Ireland but themſelves: nay they could hardly endure that the crown of England itſelf ſhould have any juriſdiction over them. They exerciſed all manner of royal juriſdiction and authority within their petty kingdoms more arbitrarily than any Engliſh monarch did over the kingdom.* No wonder then that this new race of Engliſh kings in Ireland ſhould, as Sir John Davies further obſerves, oppoſe and reſiſt every attempt of the Engliſh cabinet to admit the Iriſh into a full participation of our laws and conſtitution. For by theſe grants of whole provinces and petty kingdoms, theſe few Engliſh lords pretended to be the proprietors of all the lands; ſo that there was no poſſibility of ſettling the natives in any of their poſſeſſions, and conſequently the conqueſt of the whole country became an abſolute impoſſibility, otherwiſe, than by the utter extirpation of the whole native race of the Iriſh; which they were in fact unable, and probably from intereſted motives unwilling to do. The Iriſh, who inhabited the lands that were fully conquered and reduced, were in the condition of ſlaves and villeins, and thereby they rendered more profit to their lords, than if they had been free ſubjects of the king: and as theſe oppreſſive and rapacious ſovereigns flattered themſelves with the pleaſing proſpect of realizing their ſeveral grants to their full nominal extent, they looked eagerly to this profitable extenſion of vaſſalage and ſlavery, which would not take place if thoſe out of the pale were once received into the king's protection and made liege men and free ſubjects. Thus early were the peace, welfare, and proſperity of the Iriſh nation ſacrificed to the corrupt influence and intereſts of ſome few men in power.

The ſame author, than whom no man ever ſtudied more the reciprocal intereſts of England and Ireland, tells us plainly, that this handful of

* The complaints of the abuſes of theſe Engliſh ſettlers were emphatically compreſſed into this ſtrong expreſſion: *ipſis Hybernis Hyberniores.*

monopolizers

monopolizers of the whole power and profit of the nation oppoſed its union with England, becauſe that "woulde have abridged and cut off a great "part of that greatneſs which they had promiſed unto themſelves: they "perſwaded the King of England, that it was unfit to communicate the "lawes of England unto them; that it was the beſt policie to hold them "as aliens and enemies, and to proſecute them with a continual warre. "Heereby they obtained another royal prerogative and power; which was "to make warre and peace at their pleaſure in every part of the kingdome; "which gave them an abſolute command over the bodies, lands, and goods "of the Engliſh ſubjects heere. The troth is, that thoſe great Engliſh lords "did to the uttermoſt of their power, croſſe and withſtand the enfranchize-"ment of the Iriſh, for the cauſes before expreſſed, wherein I muſt ſtill "cleare and acquit the crown and ſtate of England of negligence or ill "policy."

So deeply rooted in the Iriſh nation was the ſpirit of irritation and reſentment, that no public calamities, oppreſſions, or misfortunes could prevent their chieftains, lords, or petty ſovereigns from continual feuds and wars with each other. This national misfortune was highly aggravated by the erection of theſe Engliſh ſovereignties: for the ſame author informs us, that "the power to make warre and peace did raiſe the Engliſh lordes "to that height of pride and ambition, as that they could not endure each "other, but grew to a mortal warre and diſſention amongſt themſelves, "as appeareth by all the records and ſtories of this kingdome."

Not only the general ſtate policy of England was miſdirected and abuſed by the ſervants of the crown in Ireland, in order to encreaſe and perpetuate diſunion and hatred between the two nations; but the very ſources of juſtice and legiſlation were poiſoned and corrupted to the ſame intent. We have the teſtimony of Sir John Davies, ſupported by ſeveral records of undoubted authority:* "That the Iriſh generally were held and reputed "aliens or rather enemies to the crowne of England; inſomuch as they "were not only diſabled to bring anie actions, but they were ſo farre out "of the protection of the lawe, as it was often adjudged no felony to "kill a mere Iriſhman in the time of peace." By the 4th chapter of the ſtatutes made at Trim, 25 Hen. VI. (A. D. 1447) it was enacted, that if

* Dav. Diſc. 102 & ſeq.

any

any were found with their upper lips unſhaven by the ſpace of a fortnight, (it was the Iriſh faſhion to wear the beard on the upper lip) it ſhould be lawful for any man to take them and their goods as Iriſh enemies, and to ranſom them as Iriſh enemies. Another very ſingular ſtatute was paſſed, to commit the puniſhment of offenders to every private liegeman of the king, without any reference to trial by judge or jury (28 Hen. VI. c. iii. A. D. 1450). It muſt have ſorely aggrieved the Iriſh, when rewards were put upon their heads at the mere private ſurmiſe, ſuſpicion, or perſonal reſentment of any Engliſhman: for it was thereby enacted, that it ſhould be lawful to every liegeman of our ſovereign lord the king, all manner of notorious and known thieves, and thieves found robbing, &c. (which might not be ſo unreaſonable as to murder by ſuſpicion or reputation) to kill and take them without impeachment, arraignment, or grievance to him to be done by our ſovereign lord the king, his juſtices, officers or any of his miniſters for any ſuch manſlaughter or taking: and that every man ſhould be rewarded for ſuch killing or taking by one penny of every plough, and one farthing of every cottage within the barony where the manſlaughter was done. This inhuman encouragement to murder was further encreaſed by larger rewards given to thoſe who ſhould execute ſummary juſtice by their own fallible or corrupt judgments upon perſons going to rob and ſteal, or coming from robbing and ſtealing: for by 50th Edw. IV. c. 2. (A.D. 1465) it was enacted, that it ſhould be lawful to all manner of men that found any thieves robbing by day or by night, *or going or coming to rob or ſteal, in or out, going or coming*, having no faithful man of good name and fame in their company in Engliſh apparel, upon any of the liege people of the king, to take and kill thoſe and to cut off their heads, without any impeachment of our ſovereign lord the king, his heirs, officers or miniſters, or of any others; and of any head ſo cut in the county of Meath, that the cutter of the ſaid head, and his ayders there to him, cauſe the ſaid head ſo cut to be brought to the portreeve of the town of Trim, and the portreeve to put it upon a ſtake or ſpear upon the caſtle of Trim, and that the ſaid portreeve ſhould give him his writing under the ſeal of the ſaid town, teſtifying the bringing of the ſaid head to him. And that it ſhould be lawful for the bringer of the ſaid head and his ayders to the ſame, to diſtrein and levy with their own hands of every man having one ploughland in the barony where the thief was ſo taken, two-pence; half a ploughland, one penny;

and

and every man having a houſe and goods to the value of 40*s.* one penny; and of every other cottier having houſe and ſmoak, one half-penny. And if the portreeve ſhould refuſe ſuch certificate, he was to forfeit 10*l.* recoverable by action. In paſſing an opinion upon this ſtatute, it ought not only to be tried by the abſolute and immutable rules of moral equity, but by the relative feelings and prepoſſeſſions of the Iriſh, whoſe Brehon inſtitutions allowed all crimes, even *murder* itſelf, to be expiated by fine or *eric*.

Although the printed ſtatutes of Ireland go not to ſo early a date, yet Sir John Davies quotes the famous ſtatutes of Kilkenny, which are preſerved in the caſtle at Dublin: they were paſſed in the 40th year of King Edw. III. (*A. D.* 1366) and although they were chiefly intended to correct the degeneracy of the Engliſh, yet had they the ſtrongeſt tendency to aggravate the rancorous animoſity of the two nations. In the 40th year of his reign "King Edward held that famous parliament at Kilkenny, wherein many "notable lawes were enacted, which doo ſhew and lay open (for the lawe "doth beſt diſcover enormities) how much the Engliſh colonies were cor-"rupted at that time, and doo infallibly prove that which is laide downe "before: that they were wholly degenerate and faln away from their obe-"dience. For firſt it appeareth by the preamble of theſe lawes, that the "Engliſh of this realme, before the coming over of Lionel Duke of Clarence, "were at that time become meere Iriſh in their language, names, apparell, "and all their manner of living, and had rejected the Engliſh lawes and "ſubmitted themſelves to the Iriſh, with whom they had made many mar-"riages and alliances, which tended to the utter ruine and deſtruction of "the commonwealth. Therefore *alliaunce by marriage, nurture of infants,* "and *goſſipred* with the Iriſh are by this ſtatute made high treaſon. Again, "if anie man of Engliſh race ſhould uſe an Iriſh name, Iriſh language, or "Iriſh apparell, or any other guize or faſhion of the Iriſh, if he had lands or "tenements, the ſame ſhould be ſeized, till he had given ſecurity to the "Chancery, to conform himſelf in all points to the Engliſh manner of "living. And if he had no lands, his bodie was to be taken and impriſoned, "till he found ſureties as aforeſaid."

Imagination can ſcarcely deviſe an extreme of antipathy, hatred, and revenge to which this code of aggravation was not calculated to provoke both nations. One thing alone was left to fill the meaſure of calamity on one ſide, and oppreſſion on the other. It was a ſyſtem ſo grievous in its

nature, that had it been confined to that diſaſtrous period of the Iriſh hiſtory, I ſhould have ſpoken of it with the ſame freedom I have uſed in narrating other barbarous uſages, which civiliſation and political liberality had long entombed: but recent revivals of this ſyſtem of inhumanity render it prudent for a modern writer to uſe others rather than his own language in retailing theſe ancient enormities. * " But the moſt wicked and miſchievous " cuſtome of all others was that of *Coygne and Livery*, often before men- " tioned: which conſiſted in taking of *mans-meate, horſe-meate and money* " of all the inhabitants of the country at the will and pleaſure of the ſoldier, " who, as the phraſe of Scripture is, *did eate up the people as it were bread*, " for that he had no other entertainment. This extortion was originally " Iriſh, for they uſed to lay *bonaght* † upon their people, and never gave their " ſoldier any other pay. But when the Engliſh had learned it, they uſed " it with more inſolency and made it more intollerable; for this oppreſſion " was not temporary, or limited either to place or time: but becauſe there " was every where a continuall warre either offenſive or defenſive, and every " lord of a countrie, and everie marcher made warre and peace at his plea- " ſure, it became univerſal and perpetuall: and was indeede the moſt heavy " oppreſſion that ever was uſed in anie Chriſtian or Heathen kingdom. " And therefore *vox oppreſſorum*, this crying ſinne did drawe down as " great or greater plagues upon Ireland, than the oppreſſion of the *Iſraelites* " did draw upon the land of Egypt. For the plagues of Egypt though " they were grievous, were of a ſhort continuance: but the plagues of " Ireland laſted 400 years together. This extortion of *Coygne and Livery* " did produce two notorious effects. Firſt, it made the land waſte: next, " it made the people ydle. For when the huſbandman had laboured all " the yeare, the ſoldier in one night did conſume the fruites of all his labour, " *longique perit labor irritus anni.* Had hee reaſon then to manure the " lande for the next yeare, or rather might he not complayne as the " ſheperd in Virgil:

" *Impius hæc tam culta novalia miles habebit?*
" *Barbarus has ſegetes? En quo diſcordia cives*
" *Produxit miſeros? En queis conſevimus agros?*

* Dav. Diſc. 174, &c.

† *Free quarters* ſeems to be the modern appellation of this miſchievous ſyſtem of oppreſſion; but unfortunately for Ireland, the reality has long ſurvived its ancient appellation.

And

" And hereupon of neceſſity came depopulation, baniſhment, and extirpation " of the better ſort of ſubjects, and ſuch as remained became ydle and " lookers on, expecting the event of thoſe miſeries and evill times: ſo as this " extream extortion and oppreſſion hath been the true cauſe of idleneſſe in " this Iriſh nation; and that rather the vulgar ſort have choſen to be beggars " in forraign countries than to manure their own fruitful land at home. " Laſtly, this oppreſſion did of force and neceſſitie make the Iriſh a crafty " people; for ſuch as are oppreſſed and live in ſlavery are ever put to their " ſhifts, *ingenium mala ſemper movent.*" * And in another place, this ſame author has ſpoken ſtill more ſtrongly upon this monſtrous exceſs of inhumanity and impolicy. †" In the time of King Edward II. Maurice Fitz-" Thomas, of Deſmond, being chief commander of the army againſt the " Scots, began that wicked extortion of *Coygne and Livery and Pay*, that " is: he and his army tooke horſemeate and mansmeate and money at their " pleaſure, without any ticket or any other ſatisfaction. And this was after " that time, the general fault of all the governours and commanders of the " army in this lande." And ‡" By this it appeareth, why the extortion of " Coygne and Livery is called in the old ſtatutes of Ireland a *damnable* " *cuſtome*, and the impoſing and taking thereof made *high treaſon*. And " it is ſaid in an ancient diſcourſe *Of the decay of Ireland*, that though it " were firſt invented in Hell, yet if it had been uſed and practized there, as " it hath been in Ireland, it had long ſince deſtroyed the very kingdome of " Belzebub."

Doctor Leland, in our own days, ſpeaks in the ſame ſpirit of that infamous and pernicious practice. §" The compendious Iriſh method of quartering " the ſoldiers on the inhabitants, and leaving them to ſupport themſelves " by arbitrary exactions, ſeemed to have been pointed out by the urgent " occaſion, was adopted with alacrity and executed with rigor. Riot, " rapine, maſſacre, and all the tremendous effects of anarchy were the

* Sir John Davies here further remarks, that the common people have a whyning tune or accent in their ſpeech, as if they did ſtill ſmart or ſuffer ſome oppreſſion: and that this idleneſs, together with the fear of imminent miſchiefes, which did continually hang over their heads, have tended to make the Iriſh the moſt inquiſitive people after news of any in the world. One might have ſuppoſed Sir John Davies had ſeen at the cloſe of the 18th century groups of idlers in the ſtreets of Dublin, liſtening to and brooding over Saunders's journal.

† Dav. Diſc. p. 30, 31. ‡ Ibid. p. 33. § Lel. Hiſt. 1 vol. p. 280.

" natural conſequences. Every inconſiderable party, who, under the pre-
" tence of loyalty, received the king's commiſſion to repel the adverſary in
" ſome particular diſtrict, became peſtilent enemies to the inhabitants. Their
" properties, their lives, the chaſtity of their families were all expoſed to
" barbarians who ſought only to glut their brutal paſſions; and by their
" horrible exceſſes purchaſed the curſe of God and man."

Without paſſing in review the ſucceſſive ſcenes of diſſention, inſurrection, perfidy, oppreſſion, maſſacre, diſtreſs, and calamity which blackened the reigns of all our monarchs from the invaſion to the reformation, certain it is, that this long ſpace of nearly 400 years was (except in the moments of impotency produced by exceſſive violence on each ſide, and the deluſive hours of actual perfidy or meditated treachery) one uninterrupted ſcene of diſcord, warfare, and wretchedneſs. This ill-fated people ſeems to have been devoted to the extreme tenſion of human miſery. Every appearance of advantage was alternately taken by the Engliſh and the Iriſh to extend or contract the *pale:* ſucceſs was various; though ravage, deſolation, and famine invariably marked the progreſs of the conqueror. The moſt trifling differences and frivolous pretexts were greedily ſeiſed by the factious and iraſcible chieftains, whoſe paſſions more than intereſts kept their ſepts in continual wars with each other. Proud of independence, inflated with ſelf-conſequence, they ſeldom agreed with their neighbours, and never coaleſced, but through weakneſs for protection, or through reſentment to execute vengeance the more forcibly on their enemy. Private diſcord equally diſtracted the Engliſh cantonments or diſtricts, as the old Iriſh ſepts. Every appearance, report, or even ſuſpicion of diſſention, weakneſs, or diſorder within the *pale*, was the ſignal for the ſepts to fly to arms, and harraſs the Engliſh, of whom their hatred was truly implacable.* Every defeat of the Engliſh was followed up by an inundation of more formidable forces: the

* In proportion as national prejudice, antipathy, and hatred may be deeply rooted, is it important to conſider the grounds from which they ſpring: and as, I preſume, that it cannot be deemed unfair to trace them in the inſtance of Ireland, to that ſtudied ſyſtem of oppreſſion and diſunion into which England was betrayed, by the falſe repreſentations of intereſted individuals, for the ſpace of time compriſed in this chapter, I refer my reader to that remonſtrance of grievances ſet forth by the Iriſh, (App. III.) which certainly is the ſtrongeſt picture of inveterate national hatred that has been handed down to poſterity. It demonſtrates, that difference of religion did not produce theſe evils, and that UNION alone is the effectual ſecurity againſt their repetition.

ſubmiſſion

ſubmiſſion of the Iriſh was often abject, always precarious and occaſional: it never laſted longer than the Engliſh forces commanded a decided ſuperiority. Famine, peſtilence, and wars frequently brought this wretched people to the deſperate neceſſity of feeding on graſs, leaves, and the fleſh of their fellow creatures. Such were the unceaſing calamities, to which that unfortunate country was doomed, during the reigns of ſixteen of our monarchs,* who held the Britiſh ſceptre, from the invaſion under Henry the Second to the reformation under Henry the Eighth; calamities evidently ariſing out of the internal diviſions and national diſunion and oppreſſion of that kingdom.

* Viz. Henry II. Richard I. John. Henry III. Edward I. Edward II. Edward III. Richard II. Henry IV. Henry V. Henry VI. Edward IV. Edward V. Richard III. Henry VII. Henry VIII.

PART II.

OF THE STATE OF THE IRISH NATION FROM THE REFORMATION OF RELIGION UNDER HENRY VIII. TO THE REVOLUTION UNDER JAMES II.

CHAPTER I.

THE REIGNS OF HENRY VIII. EDWARD VI. AND QUEEN MARY.

SUCH is the variety, ſuch the importance, and at the ſame time ſuch the peculiarity of the events, which mark this period of the Iriſh hiſtory, that truth and candour are almoſt to be dreaded by the hiſtorian who ſeeks the approbation of the exiſting generation. We have ſeen how much the intereſts of Ireland have ſuffered from the ill-directed monopoly of the Engliſh influence and political power in that country, whilſt they profeſſed the ſame religion. A new ſcene now opens itſelf. The 20th year of the reign of Henry VIII. (A. D. 1528.) is properly termed the firſt year of the reformation of religion in England; and from this epoch are to be reckoned the many active and paſſive diſaſters that afterwards fell upon Ireland, whether they really aroſe out of the change of religion, or were ignorantly or maliciouſly attributed to ſuch change. It has been too prevalent with moſt writers ſince the Reformation, to lay indiſcriminately to the account of that great innovation in our national church, the various ſtruggles, revolutions, and convulſions that afterwards happened in the ſtate. An error pregnant with incalculable miſchief! And what deviation from truth does not produce evil?

A variety

A variety of circumſtances combined to render the Engliſh monarch at this time hateful rather than gracious to the Iriſh nation, which had no reference to or connection with religion. Leland, after Ware, and other annaliſts, repreſents the Earl of Kildare as confirmed in the Lieutenantcy beyond the power of oppoſition; and that he uſed it without moderation or reſerve. Inſtead of the ſtate and dignity of a vicegerent, he affected the rude grandeur of an Iriſh chieftain, and ſtood at the head of a wild and rapacious multitude of followers, to the annoyance and terror of thoſe whom he was appointed to protect. The lords of the old Iriſh race, who had ever appeared the moſt unfriendly to the Engliſh government crowded round him, and were received as his kinſmen and aſſociates. Two of his daughters were given in marriage to O'Connor of O'Fally, and O'Carroll, two powerful chieftains. The laws which prohibited ſuch connections were treated with ſcorn, nor was the adminiſtration of government at all regarded, but as it contributed to eſtabliſh his own perſonal influence and authority. The whole power of the pale, except the partiſans of Kildare, were not only ſhut out of favour and countenance, but even protection. The enemies of his houſe within the pale were enflamed with indignation, and all the officers and dependants of the Engliſh government were terrified at a conduct which threatened utter ſubverſion to the intereſts of the crown.

This powerful lord, who had now poſſeſſed the government of Ireland much longer than any of his predeceſſors in that important deputation, experienced in Cardinal Wolſey a mortal enemy; * and whether owing to the influence of the cardinal upon the mind of his royal maſter, or to the king's conviction of the guilt and malpractices of Kildare, he was remanded over to England without delay, under a peremptory mandate to commit the government to

* It is reported, that when Kildare had been moſt ſeverely and inſolently examined and arraigned at the council board, on his firſt confinement ſome years before, upon ſuſpicion, by his implacable enemy Cardinal Wolſey, that prelate was extremely mortified and humbled at the manly and ſpirited reply of the earl, and that he ſo far gave way to his revenge, as to endeavour to have him taken off without any public trial, that he might no more offend the pride of the cardinal. He accordingly ſent a mandate to the lieutenant of the tower for his execution on the next day, which was delivered to him whilſt at play with Kildare. The lieutenant changed countenance, was challenged and worked upon by Kildare to reveal the contents of the letter, and perſuaded to apply perſonally to the king, who diſclaimed any knowledge of the order, and to check the ſaucineſs of the prieſt as he termed it, gave a ſignet for a countermand, and releaſed Kildare. Speed. 775. Cox. 220. Hence may be eaſily traced an aggravation of diſaffection, and perhaps ſome diſpoſition to revolt in Kildare.

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ſome perſon in his abſence, for whom he would be reſponſible: he unfortunately entruſted it to his ſon Lord Thomas Fitzgerald, a youth of inexperience and impetuoſity, who had not yet attained his age of twenty-one years: and who from his affability and perſonal accompliſhments eminently commanded the affection of the multitude. It was known in Ireland, that Kildare had ſoon after his landing in England been committed to the Tower: and falſe reports were circulated, that he had been beheaded. They no ſooner reached his ſon, than he inſtantly flew out into the moſt deſperate rebellion, and was ſupported by numerous malcontents amongſt the Geraldines, who had been previouſly ſupplied with arms and ammunition by Kildare before his departure, in contemplation of the probability of ſuch an event. After various misfortunes and diſaſters produced by the miſconduct and temerity of this Lord Thomas, the rebellion was ſuppreſſed under the adminiſtration of Sir William Skeffington; and O'Neal and O'Connor, who had joined in it, made their ſubmiſſion to the king. Lord Thomas himſelf had been promiſed his pardon, on condition of his making perſonal ſubmiſſion to the king. He went over to England in full confidence: he was however treacherouſly arreſted on his way to Windſor, and committed to the tower, where he was ſoon after executed as a rebel and a traitor.* But the vengeance of ſuch a prince as Henry was not to be appeaſed by a ſingle victim. He affected to conſider the ſuppreſſion of the late rebellion as a new conqueſt of Ireland, and propoſed it as a queſtion to be debated in his council, whether he had not now acquired a right to ſeize at once on all the eſtates of this kingdom ſpiritual and temporal. But above all, he breathed the moſt infuriated revenge againſt the whole lineage of Kildare. Lord Gray, the new lord deputy, received orders from Henry to ſeize the five uncles of Lord Thomas Fitzgerald, and ſend them priſoners to London. Of theſe, three were known to have totally diſapproved and oppoſed the inſurrection of their nephew, and the whole number had reaſon to expect impunity from the treaty made with the rebels. But this confidence proved their ſnare. They accepted an invitation from Lord Gray to a banquet, an inſidious and diſhonorable artifice of that lord to get them into his power; they were firſt feaſted with all the appearance of amity, then made priſoners and conveyed to London, where they all ſuffered the puniſhment of high treaſon. There was a younger branch of the family of Kildare, Lord Gerald, a youth under

* 2 Lel, 153.

twelve years of age, the brother of Lord Thomas: and the vengeance of the king purſued even this helpleſs and guiltleſs infant; but happily by the vigilance of his guardian he was ſecretly conveyed out of the kingdom, and at laſt ſafely committed to the protection of Cardinal Pole, then in Italy, who, in defiance of his declared enemy King Henry, received the young lord as his kinſman, educated him ſuitably to his birth, and by his favor and ſupport preſerved him to regain the honors of the family of Kildare.* This tyrannical and treacherous conduct of King Henry towards one of the firſt families in Ireland is concluſive evidence, that he was little ſuited to gain favor with the Iriſh, either within or without the pale, in the work of reformation, which he had now taken in hand.

A party was formed of the moſt powerful ſervants of the crown, who were enemies to Kildare. At the head of theſe was Allan, archbiſhop of Dublin, the deprived chancellor. He had been trained in the ſcene of political intrigue under his patron Wolſey: he had ſerved him as judge in his legatine court with an attention and aſſiduity neither upright nor honorable: and though accuſed of miſdemeanor and diſmiſſed from his office, he was ſtill protected by the cardinal, and proved an uſeful and active agent in his favorite ſcheme of the ſuppreſſion of monaſteries. Wolſey's death had given great aſſurance to Kildare, but his creature Allan retained all his maſter's rancour againſt the Geraldines. It was at laſt reſolved to commiſſion the Maſter of the Rolls in the name of the lords of the council (for the major part concurred in the meaſure) to repair to England, and lay the ſtate of the country before the king, and implore the royal interpoſition. The repreſentation made to the king by the agents of theſe lords, will further prepare our minds to judge

* The Earl of Kildare is ſaid to have died in priſon through grief at hearing of his ſon's defeat, &c. "Thomas late Earl of Kildare was with ſome others attainted for the inſolencies he had done "during his deputyſhip: which act was repealed in the 11th of Queen Elizabeth, the Earl of "Kildare's brothers and ſiſters being thereby reſtored to their blood, as in King Edward VI. his "reign: Gerald (Earl Thomas his brother) was reſtored to his ancient inheritance, and by Queen "Mary, May 14, 1554, to his honor and the Barony of Offaly, who returning the ſame year into "Ireland was received with great applauſe by the people, though his brother had been beheaded "and five uncles hanged at Tyburn, February 3, 1537." *Borl. Red. of Ireland to the crown of England* 104. The ſame author 105 informs us "that this Lord Gray was in the year 1541 be-"headed on Tower hill, about June 25, for having, as it was conjectured, joined with Cardinal "Pole and others of the king's enemies, notwithſtanding his good ſervice, &c." He did not long ſurvive his treachery.

fairly

fairly and impartially of the diſpoſition of the Iriſh nation to ſubmit to the power and adopt the ſyſtem of reformation propoſed by Henry.

The Maſter of the Rolls opened his commiſſion by repreſenting to his Majeſty the confined extent of the Engliſh laws, manners, language, and habit, at length reduced to the narrow compaſs of twenty miles: the melancholy conſequence of thoſe illegal exactions and oppreſſions, by which the Engliſh tenantry had been driven from their ſettlements: the grievous tribute, which the remains of theſe loyal ſubjects were obliged to pay the Iriſh lords for a precarious protection: the enormous juriſdictions granted to the lords of the Engliſh race, that favoured their oppreſſions, and ſtopped the courſe of juſtice: the rabble of diſaffected Iriſh ſettled purpoſely on their lands, whom they oppreſſed with impunity, and whom they found their readieſt inſtruments for oppreſſing others: the negligence of the king's officers in keeping the records: their unſkilful conduct in the exchequer: but above all the alienation of the crown lands, which reduced the revenue to a ſtate of dangerous inſufficiency, and left the realm without ſuccour or reſource. Many of the public diſorders they aſcribed to a too frequent change of governors: entreating the king's highneſs that for the future he would be graciouſly pleaſed to entruſt the charge of his Iriſh government to ſome loyal ſubject ſent from his realm of England, whoſe ſole object ſhould be the honor and intereſt of the crown, unconnected with Iriſh factions, and uninfluenced by partial favor or averſion.*

Henry, though impetuous and ungovernable in his paſſions, wanted not penetration to ſee the weakneſs of his power over the Iriſh, who in their preſent ſituation were rather to be ſoothed by policy, than compelled by force into the adoption of his meaſures. His mind was now bent upon the moſt effectual means of introducing the reformation into Ireland. This was a work not to be effected by the terror of that artillery, with which the Lord Deputy Skeffington daunted and diſperſed the undiſciplined and tumultuary army of O'Connor before Maynooth,† and with which he carried

* This ſtate of grievances moſt ſingularly coincides with others of later dates: for it is a melancholy truth, that for want of an incorporate union with England, this country has been doomed for centuries to ſuffer a ſimilarity, as well as continuance of oppreſſion.

† This army conſiſted of about 7000 men, with which Dermod O'Connor Don had ſupplied Lord Thomas Fitzgerald: it flattered the vanity, and gratified the feelings of this old chieftain, that a lord of the pale, then an exile in his territory, ſhould apply for ſuccour againſt the Engliſh government. O'Neil alſo had joined his forces with thoſe of O'Connor.

terror through the nation. Whilſt Henry was elated at the general and prompt compliance with his ſcheme of reformation in England, he reſolved to extend it yet further and gain a reception for the new doctrines in Ireland. Accordingly, Lord Cromwell, who upon the death of Wolſey had ſucceeded to as much of his prince's favors, as Henry would again beſtow upon a ſubject, in his quality of vicar general in ſpirituals, appointed George Brown, the provincial of the Auguſtine Friars, who had been prominently conſpicuous in preaching up the reformation in London, to ſucceed Allan in the archiepiſcopal ſee of Dublin. He was ſent over with other commiſſioners, ſpecially inſtructed and appointed to confer with the clergy and nobility, in order to procure a general acknowledgement of the king's ſpiritual ſupremacy.* But the taſk was found more difficult than the impetuoſity of the king, or the faſtidious contempt, which the Engliſh miniſter entertained of this country, permitted them to ſuſpect. The Iriſh had aboriginally been enthuſiaſtically tenacious of their religion, and of the ſacredneſs of the rights and character of it's miniſters. Accordingly, as Leland after Ware obſerves, when Europe had almoſt unanimouſly declared againſt the yoke of eccleſiaſtical power, a ſlight attempt made in one province of Ireland to circumſcribe the privileges of the clergy raiſed a moſt violent and inſolent clamor among the order, although it amounted to nothing more than empowering the civil magiſtrate to impriſon eccleſiaſtical debtors. "And, had," continues the learned doctor,† "the generous policy prevailed of collecting "all the inhabitants into one body of Engliſh ſubjects, a union and pacifi- "cation of ages muſt have prepared the people for the reformation now pro- "poſed."

‡No ſooner had the commiſſioners appointed by the king explained their inſtructions, and demanded an acknowledgment of his ſupremacy, than Cromer, primate of Armagh, an Engliſhman by birth, and who had ſometimes held the office of chancellor, openly and boldly declared againſt an attempt ſo impious. Diſguſt at being removed from his office, and reſentment at the ſeverity exerciſed againſt the family of Kildare, his friends and patrons, might be ſuppoſed to have had ſome ſhare in this oppoſition, were it neceſſary

* Uſher, Ware, Cox, Leland, Crawford, &c.

† 2 Lel. 158.

‡ For very obvious reaſons I have choſen to follow Dr. Leland's account of the Effect of Archbiſhop Browne's Miſſion to Ireland.

to

to recur to worldly motives to explain it. He ſummoned the ſuffragans and clergy of his province: and to thoſe whom he could collect, he pathetically repreſented the danger, which now threatened the religion of their anceſtors: exhorting them to adhere inviolably to the apoſtolic chair, by ſuch arguments and motives as were ſuited to their underſtandings. He reminded them, that their country had been called in the earlieſt ages the Holy Iſland; a convincing proof that it ever was and is the peculiar property of the holy ſee, from which the kings of England derive their lordſhip. He enjoined them by his ſpiritual authority to reſiſt all innovation, as they tendered their everlaſting felicity: and pronounced a tremendous curſe againſt all thoſe, who ſhould ſacrilegiouſly acknowledge the king's ſupremacy. In the mean time he diſpatched two emiſſaries to Rome, to repreſent the danger of the church, and to entreat the interpoſition of the pontiff in defence of his rights and intereſts in Ireland.

This ſpirited oppoſition of the moſt eminent amongſt the Iriſh prelates, enlivened the zeal and vigor of the friends of Rome. Henry and his miniſter ſeem to have imagined, that no one could have preſumed to attempt the leaſt reſiſtance to his royal will in a point, which had been already ſolemnly decided and eſtabliſhed in England. His agents were probably poſſeſſed with the ſame idea. But to their utter mortification, the king's commiſſion was treated with indifference and neglect; and his vicar, on account of the meanneſs of his birth, became even a ſubject of popular ridicule.* Archbiſhop Browne, with the aſſiſtance of ſome of his ſuffragans, laboured in ſupport of the commiſſion: but he was treated not only with diſdain but outrage, and his life was expoſed to danger from the opponents of the reformation. Such at leaſt were the apprehenſions he expreſſed. He informed Lord Cromwell of his bad ſucceſs, and the oppoſition of Cromer: repreſented the melancholy ſituation of eccleſiaſtical affairs in Ireland; the extreme ignorance of the clergy, incapable of performing even the common offices, and utter ſtrangers even to the language, in which they celebrated their maſs; and the furious zeal of the people, whoſe blind attachment to Rome was as determined, as the conſtancy of the moſt enlightened martyrs to the true religion, who exulted in expectation of effectual ſupport from the pope,

* Archbiſhop Browne in one of his letters to Lord Cromwell, tells him with an awkward and uncourtly ſimplicity, the "countrie folk here much hate your lordſhip, and deſpitefully call you in their Iriſh tongue, *the blackſmith's ſon.*"

and

and that he would engage ſome of the old chieftains and particularly O'Nial, the great dynaſt of the north, to riſe in defence of their religion. He recommended, as the moſt vigorous and effectual method of procedure, that an Iriſh parliament ſhould be aſſembled without delay, which, like the Engliſh legiſlature, might by law enforce a general acknowledgment of the king's ſupremacy, ſo as to terrify the refractory and to ſilence their oppoſition. This advice was approved: and the Lord Gray, who was ſtill engaged in ſuppreſſing the disjointed relicts of the Geraldine rebellion, received a commiſſion to ſummon a parliament, which was accordingly convened at Dublin on the firſt of May 1536.

So limited at this time was the juriſdiction of the Iriſh parliament, or to ſpeak more properly, of the provincial aſſembly of the pale, that the maſter of the rolls reported to the king, that his laws were not obeyed twenty miles from his capital. Yet did Henry ſucceſsfully exert every device of art and power to render the members that compoſed it ductile and ſubſervient to his dictates. The tranſactions of the late parliament at Weſtminſter were holden out to the members convened, as a model of the ordinances the king expected at their hands. Therefore, as to all the acts which concern the reformation of religion, the Iriſh ſtatutes are mere tranſcripts of the Engliſh acts upon the ſame ſubjects. The king was declared ſupreme head on earth of the Church of Ireland: all appeals to Rome in ſpiritual cauſes were taken away: the Engliſh law againſt ſlandering the king in conſequence of theſe innovations was enacted and confirmed in Ireland, together with the proviſions made in England for payment of firſt fruits to the king: and not only of the firſt fruits of biſhopricks and other ſecular promotions in the Church of Ireland; but by another act he was veſted with thoſe of abbies, priories, colleges, and hoſpitals. By a further act the authority of the biſhop of Rome was more ſolemnly renounced, and the maintainers of it in Ireland made ſubject to a *præmunire*. All officers of every kind and degree were required to take the oath of ſupremacy: and every perſon who ſhould refuſe it was declared, as in England, guilty of high treaſon. All payment of penſions and ſuing for diſpenſations and faculties to Rome were utterly prohibited, by adopting the Engliſh law made for this purpoſe, and accommodating it to Ireland. By one act twelve religious houſes were ſuppreſſed: by another the priory of St. Wolſtan's was particularly ſuppreſſed; and the demeſnes of them all were veſted in the crown.

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As to the right of inheritance and ſucceſſion of the lordſhip of Ireland, they pronounced the marriage of the king with Catharine of Arragon to be null and void, and the ſentence of ſeparation by the archbiſhop of Canterbury to be good and effectual. They declared the inheritance of the crown to be in the king and his heirs by Queen Ann (of Boleyn): they made it high treaſon to oppoſe this ſucceſſion, miſpriſion of treaſon to ſlander it; and appointed an oath of allegiance to be taken by the ſubjects of Ireland for the ſure eſtabliſhment of it under the penalties of miſpriſion of treaſon. But ſcarcely had this act been paſſed, when intelligence arrived of the condemnation and death of Ann Boleyn, and the marriage of the king with the Lady Jane Seymour. With the ſame eaſe and compliance with Henry's wiſhes, they followed the ſervile corruption of the Engliſh parliament, and inſtantly repealed their late act, and paſſed an act of attainder on the late Queen Ann, George Boleyn, Lord Rochford, William Brereton, and Mark Smeaton, who had been accuſed as accomplices in the ſuppoſed guilt of that unhappy lady. Both the former marriages of Henry were by this new act declared null and void: the ſucceſſion was new modelled, and declared to be in the king and his heirs by the Lady Jane, his then queen; and, in default of ſuch heirs, the king was empowered to diſpoſe of the inheritance of the lordſhip of Ireland (as of the crown of England) by letters patent, or by will.

Other acts were made for the encreaſe of the king's revenue, and the internal regulation of the Pale. The uſual ſubſidy of 13s. 4d. on every plough land was granted for ten years. The lands and honors of the Duke of Norfolk and other abſentees were veſted in the king, and one twentieth part of every ſpiritual promotion was granted to him for ever. All penſions paid by the king's ſubjects to any Iriſh ſept were utterly aboliſhed; the ancient laws againſt marrying and foſtering with the Iriſh were revived in all their ſeverity; and the uſe of the Engliſh order of living, habit, and language, were ſtrictly enforced throughout the Pale. It was provided, that no eccleſiaſtical preferment ſhould be conferred on any, who did not ſpeak the Engliſh language, unleſs after three ſolemn proclamations none ſo qualified could be found; that an Engliſh ſchool ſhould be kept in every pariſh; and that ſuch as could not pay for the education of their children at ſuch ſchool, ſhould be obliged to employ them from the age of ten years in trade or huſbandry. To prevent waſte of lands, either by the ſuppreſſion of monaſteries or attainder of rebels, commiſſioners were appointed to grant leaſes of all crown lands;

lands; and others for pardoning any perſons concerned in the late rebellion, who ſhould ſubmit within a given time, except ſuch as had been attainted by name. Theſe were named in the very firſt act of this parliament, intituled, *An act for the attainder of the Earl of Kildare and others.*

Such were the laws which this corrupt and ſervile parliament paſſed to gratify the reſentment, luſt, avarice, and ambition of Henry.* Ingenuity could not have deviſed a collection of laws more emphatically calculated to render the Engliſh power contemptible and odious to the Iriſh nation. This policy of the Engliſh, to diſcourage all connexion of the colony with the native Iriſh, it has been lately obſerved,† was not "to be reconciled to any "principle of ſound policy: it was a declaration of perpetual war, not only "againſt the native Iriſh, but againſt every perſon of Engliſh blood, who "had ſettled beyond the limits of the Pale, and from motives of perſonal "intereſt or convenience had formed connections with the natives, or adopted "their laws and cuſtoms; and it had the full effect, which might have been "expected: it drew cloſer the confederacy it was meant to diſſolve, and im-"plicated the colony of the Pale in ceaſeleſs warfare and contention with "each other, and with the inhabitants of the adjacent diſtricts."

As the religion profeſſed by thoſe within and thoſe without the Pale was at this time one and the ſame in every reſpect, an obſervation of the ſame illuſtrious perſonage, to whoſe authority I have juſt referred, applies indiſcriminately to both;‡ *it was equally hopeleſs and impolitic to call upon the people at once to abjure the religion of their anceſtors, and to ſubſcribe to new doctrines.* Accordingly, ſays Dr. Leland,§ the laws for the regulation of the Pale, and even thoſe which declare the right of ſucceſſion to the throne, were received without oppoſition. But thoſe relative to eccleſiaſtical juriſdiction had all the violence of religious enthuſiaſm to encounter. The Romiſh party had collected their adherents, and were prepared for a vigorous contention. The two proctors from each dioceſe, who had uſually been ſummoned to parliament, compoſed a formidable body of eccleſiaſtics, avowed

* This tyrannical monarch had equally ſubdued our own parliament in England, when he forced from them that iniquitous law, that gave to a royal proclamation the full effect of an act of parliament.

† Speech of the Earl of Clare in the Iriſh Houſe of Lords on the 10th February, 1800, p. 5.

‡ Same ſpeech, p. 7.

§ 2 Lel. 165.

adherents

adherents to the holy ſee. They claimed to be members of the legiſlative body, and to have a full right of ſuffrage in every public queſtion: it therefore became neceſſary, before the act of ſupremacy ſhould be propoſed, to define their rights. It was declared by a previous act, that their claim was preſumptuous and groundleſs; that they were ſummoned merely as counſellors and aſſiſtants, (as the King's judges and other learned men had decided) and that from the firſt day of that parliament they ſhould be accepted and taken as counſellors and aſſiſtants only, whoſe aſſent and concurrence were by no means neceſſary to any parliamentary tranſaction.*

Although the partizans of Rome were thus deprived of the aſſiſtance of ſo powerful a body, yet when the act of ſupremacy came to be propoſed, Lords and Commons joined in expreſſing their abhorrence of the ſpiritual authority aſſumed by the King, whilſt the miniſters of the royal party were equally determined in defence of it. Archbiſhop Browne took the firſt part in ſupporting the propriety of this act, by ſuch arguments as probably had their weight upon his own mind, and were more likely to influence his hearers, than thoſe of greater force and ſolidity. He pleaded the authority of the Popes themſelves againſt the uſurpation of Rome; ſo that in aſſerting the king's ſupremacy, he claimed no more than what Eleutherius, biſhop of Rome, had granted to Lucius, the firſt Chriſtian King of the Britons: but the argument he concluded with, was moſt likely to confound oppoſition; he pronounced thoſe, who made any difficulty of concurring with him, to have no right to be regarded or treated as loyal ſubjects.† Fear ſerved to

* This act, intituled, *An Act againſt Proctors to be any Member of the Parliament*, was paſſed, and by a retroſpective operation from the firſt day of the ſeſſions, diſqualified this large body of two clergymen from each dioceſe, who had been regularly ſummoned to parliament, from voting as they uſually had at all times done. By the act they are aſſimilated to our Engliſh convocation, that uſually meets at the ſame time as the parliament. The reaſon why the Engliſh members of the convocation had no vote in parliament was, that at that time they taxed themſelves, and formed a ſort of third eſtate, repreſenting the eccleſiaſtical property of the nation, which reaſon would give them a right to vote in the Iriſh parliament, becauſe in that country there was no convocation. However, their expulſion from parliament, whether right or wrong, was to anſwer the deſigns of Henry, and muſt have tended to irritate a nation, which ever held the miniſters of their religion in the higheſt eſtimation.

† In this he adhered cloſely to the ſpirit of the act, which makes the refuſal to ſwear to the ſupremacy an act of high treaſon. This curious ſpecimen of Archbiſhop Browne's eloquence is to be ſeen in Sir R. Cox, 1 vol. 249.

allay the violence of ſuch as could not be perſuaded; and the moſt determined partizans of Rome were obliged to reſerve themſelves for a clandeſtine oppoſition to the execution of a law, which they could not prevent from being enacted.

At this period of the Iriſh hiſtory, the whole Iriſh nation, within and without the Pale, was Catholic. Archbiſhop Browne and the other commiſſioners, together with the miniſters and royal party, whom they had gained over to the reformation, were the only Proteſtants in the country. The hand of power was therefore called in to compel ſubmiſſion to theſe acts thus forced upon the nation. The royal party, who had poſſeſſed themſelves of the reins of power within the Pale, aware of the conſequences of their abuſing it, ere the ſeſſion was over, paſſed a ſpecial act, to make it felony to attempt to invalidate any of the laws paſſed during this ſeſſion of the parliament. And no wonder, as Leland obſerves, that to theſe vigorous counſels and deciſions of the legiſlature, it was at this time peculiarly neceſſary to add an extraordinary vigilance and activity in the field. It was obvious to foreſee, that religious controverſy muſt aggravate and protract the diſorders ſo long and ſo grievouſly experienced in this country. Rightly then was it ſaid, **At this time a new ſchiſm aroſe, which has been the bane and peſtilence of Ireland.* The queſtion of papal authority threatened to divide thoſe, who had hitherto been moſt united; and whilſt the king's ſubjects within the Pale, who diſapproved the late regulations, were thus in danger of being ſeduced from their allegiance, at the ſame time a new bond of union was formed amongſt the old Iriſh chieftains. Formerly to their petty *ſepts* (called *nations*) their views had ever principally been confined: then their temporal intereſts were ſeparate, and their mutual enmities frequent, fierce, and rancorous. But now the defence of their ancient religion was inculcated as the cauſe of all, and afforded a new pretence for inſurrection; a pretence which operated ſo powerfully upon the Iriſh, that it ſeemed almoſt for the time to have abſorbed the other numerous and heavy grievances, which Henry had accumulated upon their nation. Whoever makes the fair allowances for the workings of thoſe principles and opinions, which have been inculcated into

* Lord Clare's ſpeech, 7. In this inſtance we may be allowed to hope, that the noble Earl was leſs accurate in predicting the future than in rehearſing the paſt: for he continues, "It has "rendered her a blank amidſt the nations of Europe, and will, I fear, long continue to retard her "progreſs in the civilized world."

the

the pliancy of early youth, and which in every ſtage of life have been enforced and revered as the firſt concern of man; whoever views a people of high national honor, filled with the pride of anceſtry, enthuſiaſtically devoted to the miniſters of their religion, of quick ſympathy and thoughtleſs impetuoſity; whoever conſiders that a ſmall number of invaders had, for centuries, claimed the ſovereignty of the whole, and by force, oppreſſion, and terror actually kept poſſeſſion of the ſelect parts of their country, muſt neceſſarily perceive the effects which human nature, ever uniform in her operations, muſt have produced under theſe circumſtances of provocation and oppreſſion. Every part of the ſyſtem was calculated for ends diametrically oppoſite to thoſe of union. Archbiſhop Browne, the great agent of the Iriſh Reformation, found the utmoſt difficulty even in the ſeat of government to counteract the ſecret practiſes of Cromer and his party. The very clergy of his cathedral oppoſed his attempt to remove their images and relics, and had ſent a ſpecial emiſſary to Rome to expreſs their devotion to the holy father, and to implore his interpoſition in ſupport of his ſpiritual authority in Ireland.* So ignorant were the Romiſh partizans of the inflexible and determined ſpirit of Henry, that they addreſſed themſelves to the Duke of Norfolk, and hoped by his mediation to divert the king from his ſcheme of reformation in Ireland. Several of the moſt reſpectable incumbents of the dioceſe of Dublin choſe to reſign their benefices rather than acknowledge the king's ſpiritual ſupremacy: nor did the new regal archbiſhop dare to fill their vacancies, till he had conſulted his patron Lord Cromwell. He repeated his complaints to this miniſter of the difficulties he experienced from the ignorance and obſtinacy of the clergy, with an inſinuation, that he was

* No motive that can be conceived to eſtrange the Iriſh from the Engliſh at this time was omitted; nothing neglected that could tend to provoke inſurrection, or enſure its puniſhment. The Iriſh annaliſts tell us, that thoſe who were commiſſioned to enforce the ſpiritual ſupremacy of the king, ſeized the moſt valuable utenſils and furniture of the churches, which they expoſed to ſale without decency or reſerve. Lord Gray burnt the cathedral of Down, and deſtroyed the ancient monuments of the Saints Patrick, Bridget, and Columbkille. The crucifix of the abbey of Ballibagan, and the celebrated crozier believed to have belonged to St. Patrick, which the natives at all times held in great relative veneration, were indignantly committed to the flames as objects of ſuperſtitious idolatry. The violence done by one party to the feelings and favorite prepoſſeſſions of the other, ſuperadded to numberleſs provocations and inſults, produced colliſions in the body politic that threatened its very exiſtence.

not as ſtrenuouſly ſupported by government as the critical occaſion required. This archbiſhop (as from his conventual habits was to be expected) was ſlightly converſant with the practical deluſions and intrigues of cabinets and courts. Expecting when he undertook this miſſion, that his zeal and enthuſiaſm for reform would have been backed by all the energy of the ſtate, he ſorely lamented his diſappointment, and in a letter to his patron he ſaid, " the viceroy is of little or no power with the old natives, therefore " your lordſhip will expect of me no more than I am able." This prelate was ſent as it were on a ſingle combat againſt the whole hierarchy of the Iriſh church: true it is, that he commanded all the lures and incentives that the ſtate could furniſh, and his apprehenſions of the effects of forcing the natives to relinquiſh their own, and adopt another ſyſtem of religion, have been forcibly felt after the lapſe of more than two centuries; and are thus expreſſed by Dr. Leland.* " Ever ſince the firſt ſettlement of the Engliſh-" men in Ireland, the old natives have always been deſirous of ſome foreign " power to ſupport and govern them: and now both Engliſh and Iriſh " ſacrifice their private quarrels to the cauſe of religion, and ſeem on the " point of forming a dangerous confederacy, which ſome foreigner may " ſoon be invited to lead againſt the Engliſh government."

Nearly four centuries had elapſed ſince the invaſion of Ireland by the Engliſh; this whole ſpace of time had been a chequered ſcene of arrogant oppreſſion or ſervile humiliation; intemperate conqueſt or calamitous defeat; rancorous perfidy or hoſtile outrage. Fierce, cruel, and vindictive as the Iriſh were to each other, never till now did religion afford fuel to inſurrection. Immorality, ſloth, ignorance, perfidy, cruelty, and incontinence had been their mutual recriminations: both profeſſed the principles, from which theſe were deviations: they both agreed in faith and communion upon ſpiritual points; but on temporal differences, they fought, betrayed, and maſſacred each other. But from the introduction of the reformation into Ireland, we are to look for religious differences ſuperadded to the former ſeeds of internal diſſentions.

O'Nial, O'Bryan, and ſeveral other Iriſh chieftains of leſs repute made the defence of their religion the cauſe or the pretext for riſing in arms againſt the Engliſh government. They failed, and ſubmitted to Henry; and their

* 2 Leland, p. 171.

examples

examples were followed by ſeveral other native dynaſts. Henry began to learn by experience, that his power over the Iriſh would encreaſe more rapidly by grace and favors, than by ſeverity and force: he therefore adopted a new ſyſtem; he held out every encouragement to the native chieftains to ſubmit to his government; he beſtowed favors, honors, and titles upon ſeveral of the chief families of thoſe who came in, and induced them to reſort to his court, where he honoured them with particular marks of attention, and loaded them with preſents.*

Theſe new lords thus conſtituted peers of parliament, and members of the Iriſh council, were to be allured to an intercourſe with the king's ſervants, and habituated to an attendance on the ſtate, ſo as to preſerve (at leaſt exteriorly) their attachment, and reconcile them to Engliſh government. For this purpoſe the king granted to each of the new earls a houſe and lands near Dublin, for their more convenient attendance on the lord lieutenant and parliament. They, as well as many other of the principal chieftains, ſurrendered their poſſeſſions into the king's hands, and accepted of freſh grants of them from the crown of England to be holden by military ſervice. The Reformation made conſiderable progreſs with the great, who had ſomething to gain by it; but it advanced more ſlowly, as it ever ſince has done, with the lower orders.†

To

* Ulial de Burgo was created earl of Clanricarde and baron of Dunkellan: Murrough O'Brien earl of Thoniond and baron of Inchequin; and his ſon Connor baron of Ibracken: O'Nial renounced his name, promiſed to follow the Engliſh manners and laws, and accepted of the title of earl of Tyrowen; and his ſon was by the ſame patent created baron of Dungannon.

† The obſervations of thoſe, who remark that the bulk of the Iriſh nation adhere to their ancient faith more from faſhion, prejudice, and influence, than from conviction, are futile in the extreme. No nation was ſo ſyſtematically devoted as the Iriſh to the will, dictates, and example of their chieftains. At preſent almoſt the whole of the nobility and gentry of Ireland are proteſtants, and above two-thirds of the population are catholic. Not only a very ſevere code of penal laws has long preſſed upon theſe lower ranks of ſociety as well as upon the higher orders; but from the beginning of the Reformation, over and above theſe ſtatute laws, we find the great men of the nation who followed the example of Henry in renouncing the See of Rome, armed with the moſt arbitrary powers, and obliging themſelves to exert them in exterminating ſuch of their vaſſals, clans, or ſepts, who ſhould refuſe to follow their example of conformity. We are informed that O'Connor, and O'Dwyn or Dun, and O'Donnell covenanted with Henry, on the 6th of Auguſt, 33 Hen. VIII. (A. D. 1542.) by their ſeparate indentures, that "they would renounce, relinquiſh, "and annihilate, according to their abilities, the uſurped authority and primacy of the Roman "pontiff; and by no means receive, protect, or defend thoſe who ſhould adhere unto him; nor

"ſuffer

To ſecond the diſpoſition of the Iriſh, which now appeared favorable to peace, and to give weight and brilliancy to the Engliſh government, it was reſolved to change the ſtyle of *Lord of Ireland*, with which the crown of England had hitherto been contented, to that of *King*. It was reſolved in the Engliſh cabinet, that the Iriſh parliament ſhould confer the title of King of Ireland upon Henry, and his heirs.* St. Leger was commiſſioned to ſummon a parliament; and by the firſt act thereof it is enacted, that foraſmuch as the king, and his progenitors, ever rightfully enjoyed all authority royal by the name of *Lords of Ireland*, but for lack of the title of king were not duly obeyed, his highneſs, and his heirs for ever, ſhould have the ſtile and honor of *King* of Ireland, and that it ſhould be deemed high treaſon to impeach that title, or to oppoſe the royal authority. Some ſalutary ſtatutes regulating the proceſs of law were enacted in this ſeſſion of parliament; and an excellent law was paſſed relative to elections of members to ſerve in parliament, by which it was enacted, that thoſe who were in future to have a right of voting were to be poſſeſſed in freehold of forty ſhillings a year; and that ſuch as were elected for counties, cities, and towns, ſhould be reſident in the places, for which they were elected. This was a moſt wiſe ordinance in order to keep alive the true ſpirit and duty of the elected; as ſtrangers and non-reſidents never can ſo well know, much leſs attend to the intereſts of their electors, as thoſe who live amongſt them. In this parliament an act was alſo paſſed for the ſuppreſſion of Kilmainham and other religious houſes, and in furtherance of the Reformation upon the ‡free ſurrenders and grants of

" ſuffer them, or any of them, to exiſt in their country, but would, with all induſtry and diligence, " expell, eject, and exterminate them and every of them, and force and compell them to ſubmit " themſelves to the lord the king and his ſucceſſors." It is ſaid, that Hugh O'Kelly, abbot of Knockmoy, ſubmitted alſo in this form; as did likewiſe O'Rourke, M'Donnel, and M'William, on the 18th of May, 1543. Other forms may alſo be ſeen in Sir R. Cox, 1 vol. p. 273. This example however, it is admitted on all hands, has been followed by, comparatively, few. This ſharp-edged ſword of perſecution put into the hands of individuals, was little calculated to promote the union of the country.

* The collation of this royal dignity by the Iriſh nation alone, is a proof and a full recognition by England, of the abſolute ſovereignty and independence of the Iriſh nation.

‡ This act was announced with great joy and exultation, and was followed up with a royal proclamation, to be ſeen in the Appendix, No IV.

Henry, in order to carry the objects of this parliament, had made his terms with ſeveral from whom he expected oppoſition: immediately before the firſt ſeſſion, he created John Rawſon, late prior

of the ſuperiors. The county of Meath was divided into two ſhires, for a reaſon, which proves what a little way from the capital the juriſdiction of parliament, and the Engliſh law, and the authority of the crown then actually extended.* Meath was divided into two counties, viz. Eaſt and Weſt Meath. One act however was paſſed in this parliament which, moſt injudiciouſly, tended to create freſh jealouſies, and alienate the affections of the Iriſh. It was enacted, that on the death, reſignation, or recall of a deputy, the chancellor ſhould iſſue writs to the privy councellors to aſſemble and chuſe for governor, during the king's pleaſure, a layman of Engliſh birth, and if none ſuch could be procured, two laymen of Engliſh blood and ſurname to be lords juſtices, to whom the lord chancellor ſhould adminiſter the oath and give patents. This diſtinction in favor of the Engliſh to the excluſion of the Iriſh, foreboded ill to the intereſts and proſperity of Ireland. To the Iriſh at leaſt it muſt have appeared evident, that men born and having property in that country, who had a natural intereſt in, and therefore a neceſſary knowledge of the people, laws, and conſtitution, and who commanded every opportunity of obſerving circumſtances that affected them, were the perſons the moſt natural, moſt proper, and beſt qualified to preſide in the government.

Notwithſtanding theſe acts of the Iriſh parliament went generally to affect the whole kingdom, yet ſo ſenſible were the legiſlators themſelves of the difference between ſuch nominal acts and efficient laws, that this very parliament ſettled ſome ordinances of ſtate for the regulation of ſuch parts of the kingdom as were without the Pale. Theſe were not entirely conſonant

prior of Kilmainham, viſcount Clantarfe; Edward Butler, baron of Dunboyne; Bernard Fitzpatrick, baron of Upper Offory; Sir Oliver Plunket, baron of Louth; William Bermingham, baron of Carbry; and Thomas Euſtace, viſcount of Baltinglaſs. Thus peerages and promotions were dealt out with a prodigal hand, and in order to raiſe an emulation in all who had the power of thwarting his meaſures, the king cauſed it to be proclaimed in parliament, that it was his royal intention to confer more: thus pointing out unlimited devotion to his wiſhes as the ſure and only road to preferment.

* For as much as the ſhire of Meth is great and large in circuit, and the weſt part thereof laid about and beſet with divers of the king's rebels, and that in ſeveral partes thereof the king's writs, for lacke of miniſtration of juſtice, have not of late been obeyed, ne his grace's lawes put in due exerciſe: and that the ſaid ſheriffe of the ſaid ſhire (being one of the Pale) is not able to execute the king's proceſs and precepts, &c. *Preamble of the Act.*

with

with the Engliſh laws, but ſuch as might tend to the gradual reformation of thoſe, who (as the preamble of theſe ordinances expreſſes it) were not "ſo "perfectly acquainted with the laws, that they could at once live and be "governed by them." They were publiſhed by way of proclamation, on the 12th of July, 1542.* And although no attempts were as yet made to introduce any new ſyſtem of juriſprudence into other quarters of the iſland, yet a number of commiſſioners were appointed for each province, who were to exerciſe the office of the ancient Brehons, to hear and decide occaſional controverſies, or refer them to the deputy or council, where the cauſe was perplexed or the parties obſtinate.†

Ere we conclude the reign of Henry, under which ſuch vaſt changes were attempted in Ireland, we cannot better view the civil ſtate of the nation at the cloſe of his days, than in the perſpective given of it by Sir John Davis:‡ "For all this while, the provinces of Conaght and Ulſter, and a good parte "of Leinſter, were not reduced to ſhire ground. And though Mounſter were "anciently divided into counties, the people were ſo degenerate, as no juſ- "tice of aſſize durſt execute his commiſſion amongſt them. None of the "Iriſh lords or tenants were ſettled in their poſſeſſions by anie graunte or "confirmation of the crowne, except the three great earls before named; "who, notwithſtanding, did govern their tenants and followers by the Iriſh

* They were called temporary conſtitutions made by the lord deputy and council in *magno parliamento pro reformatione habitantium hujus regni in partibus Momoniæ qui nondum ſic ſapiunt leges et jura, ut ſecundum ea jam immediate vivere aut regi poſſunt.* Any public act of parliament to this effect would have been inconſiſtent with the ſtatutes publiſhed in the 33d of Henry VIII. therefore this half-meaſured compromiſe came out as an act of the deputy and council, and was notified to the ſubject by way of proclamation. For the ordinances, vide App. No. V.

† Sir John Davis gives us the names of theſe commiſſioners, whom he calls *Orderers or Arbitraters,* who, inſtead of theſe Iriſh Brehons, ſhould heare and determine all their controverſies. In Conaght—the Archbiſhop of Tuam, the Biſhop of Clonfert, Captain Wakeley, and Captain Ovington. In Munſter—the Biſhop of Waterford, the Biſhop of Cork and Roſs, the Mayor of Corke, and the Mayor of Youghall. In Ulſter—the Archbiſhop of Ardmagh, and the Lord of Lowth. *Diſc. p.* 243–4.

‡ Diſc. p. 247. I am ever happy to recur to his authority: of which the moſt learned Iriſh antiquarian of latter days (Thomas O'Connor) ſaid, that the Diſcovery of Sir John Davis is incomparably the moſt valuable work on the ſubject. It is contracted within a ſmall compaſs, but indeed ſuperior to all the reſt united, for obtaining a juſt idea of the civil evils, which by a neceſſary recoil bring on a remedy, and force the worſt ſtate of things into a better. *Pref. to the Ogygia vindicated.*

or

" or Brehon law, ſo as no treaſon, murther, rape, or theft, committed in thoſe " countries, was enquired of or puniſhed by the law of England." And he alſo remarks: " That the abbies and religious houſes in Tyrone, Tirconnel, " and Fermanagh, though they were diſſolved in the 33d year of Henry VIII. " were never ſurveyed nor reduced into charge, but were continually poſ- " ſeſſed by the religious perſons until the reign of James I."

In this ſtate of things, O'Neal, O'Donnel, O'Dogherty, and ſome other Iriſh chieftains, either repenting of their too haſty ſubmiſſion, or weary of their dependance upon the Engliſh, propoſed terms to the French king to become his ſubjects, on condition of his ſending over a ſufficient force to enable them to ſhake off the Engliſh yoke. Francis the Firſt ſent over the Biſhop of Valence to reconnoitre and report to him the ſituation of the country, and the probability of expelling the Engliſh. This prelate found the chieftain of Tyrconnel and ſome other of the Iriſh dynaſts to whom he applied, either ſo ſtaunch to their engagements with Henry, or ſo averſe from ſubmitting to a foreign yoke, that the French monarch declined engaging in the affair. On the other hand the Iriſh ſhewed themſelves ever ready to fight the battles of England; and Henry was attended to the ſiege of Bologne by a conſiderable body of Iriſh infantry, who diſtinguiſhed themſelves by their activity and proweſs.* The enemy was aſtoniſhed at the agility with which they made incurſions for ſeveral leagues into their country, and the ferocity with which they attacked, ſeiſed, or deſtroyed all they met. Henry, by his wars on the continent and other expences, having exhauſted his treaſury, adopted a meaſure which rendered him unpopular even with his own ſubjects of the Pale; for as yet thoſe without it could not be ſo called. He ordered baſe money to be coined in Ireland, and ſtamping it with a nominal value, he made it current, to the great injury of the people, eſpecially of the ſoldiers.

The ſhort reign of our infant Edward was conſidered, by Sir John Davis, to have been of ſuch ſlight importance to the elucidation of this part of the

* It is recorded of this Iriſh brigade, that when they ranged the French country, which is open and uninclоſed, they carried with them a bull, which they tied to a ſtake, and then ſurrounded it with fire: the bellowing of the animal, as the fire ſcorched him, brought all the cattle within hearing to the ſpot, where they were made a prey of. As they gave no quarter to the enemy, the French gelded and otherwiſe tormented ſuch of them as fell into their hands.

Iriſh hiſtory, that in his Diſcovery of the true Cauſes why Ireland was never entirely ſubdued, nor brought under Obedience to the Crown of England until the beginning of the Reign of James I. he wholly omits any mention of it. There is, however, one feature to be traced in it, that ſtrongly marks the pernicious and fatal conſequences of thwarting the diſpoſitions, exciting the diſaffections, and encroaching upon the native rights of the Iriſh people. This ill-fated principle of anti-union was not only productive of oppreſſion and calamity to Ireland, but of loſs, detriment, and diſgrace to England itſelf. *Feriunt ſua tela nocentem.*

Immediately upon the demiſe of Henry, O'Moore, O'Byrne, O'Connor and ſome other chieftains ſhewed themſelves in arms, hoping to take advantage of the weakneſs of the Engliſh government during the infancy of the monarch. But they were ſubdued by Sir Anthony Bellingham, who had been ſeaſonably ſent over with a reinforcement of 400 foot and 600 horſe. Some time after the Earl of Deſmond proving refractory and turbulent, was ſurprized in his houſe by the deputy and carried priſoner to Dublin. Sir Anthony Bellingham, inſtead of puniſhing him, ſo worked upon him by reaſon and mildneſs, that Deſmond made ſincere atonement for his crime, and was releaſed upon giving ſureties for his future good conduct: he continued a peaceable and loyal ſubject to his death.* The adminiſtration of Bellingham, though honorable to himſelf and ſerviceable to the crown, was ſoon put an end to through jealouſies and intrigues: he was accuſed of not effectually ſupporting the Engliſh intereſt, and of other malpractices: he was recalled to take his trial in England, but died before it came on, having firſt indignantly rejected terms of compromiſe from his accuſers.†

In Ireland, ſays Leland,‡ the Reformation was tendered to a prejudiced and reluctant people. The avowed enemies of Engliſh government, and the factious oppoſers of Engliſh adminiſtration naturally regarded every new regulation in the affairs of religion, as arbitrary, oppreſſive, and injurious, and ſeized the occaſion of inveighing againſt ſuch offenſive exertions of authority. The more peaceable, who had never been accuſtomed to a ſerious diſcuſſion of the great points in controverſy, reſted indolently upon the

* Deſmond after his releaſe daily prayed for the deputy by the name of the good *Bellingham*.

† Ormond his prime accuſer was ſoon after poiſoned with ſixteen of his retinue at a feaſt at Ely Houſe in Holborn: but whether by accident or treachery was never diſcovered.

‡ 2 Lel. 192.

antiquity

antiquity (as it is called) of the former eſtabliſhments, and in this relaxed ſtate of mind, were ſtricken with great terror at the denunciations of divine vengeance, thundered out by the friends of Rome againſt hereſy and innovation. The vindictive character of Henry VIII. and the rigor of his government, had driven many of the pale as well as of the Iriſh race, to formal profeſſions and condeſcenſions, which the very eaſe and readineſs, with which they were made, ſhew to have been made without due attention and ſerious conviction. The authority of a minor king was leſs eſteemed or dreaded, at the ſame time, that the requiſitions now to be made were more extenſive and did greater violences to the popular prejudices. The protector Somerſet having ſucceſsfully proceeded with the work of the reformation in England, was reſolved, that the Liturgy of the Church of England ſhould, as well as other new ordinances concerning religion, be introduced into Ireland. Orders were accordingly ſent over to convene a parliament for this purpoſe: but, whether from the apprehenſion of a violent oppoſition to the meaſure, or from what other cauſe, the deſign of convening an Iriſh parliament was laid aſide, and the royal proclamation was tranſmitted, addreſſed to the clergy and enjoining the acceptance of the new Liturgy. This innovation in religion was unexpectedly and moſt violently oppoſed by Dowdall of Armagh, the new primate, who had been promoted to that dignity by the king. Beſides Archbiſhop Browne four only of the Iriſh biſhops* ſubmitted to the proclamation: and theſe five were not ſupported by their own clergy. The new Liturgy was performed for the firſt time on Eaſter Sunday, A. D. 1551, in the cathedral of Chriſt Church Dublin, in the preſence of the deputy, magiſtrates, and the few of the Dublin clergy that had then conformed. Soon after this a moſt injudicious meaſure was adopted, that could but tend to ulcerate the public mind already tenderly ſore upon the ſubject of religion. A public conference, or rather a theological diſputation, was holden in St. Mary's abbey, between *Dowdall*, on behalf of the catholic, and *Staples* of Meath, on behalf of the reformed religion. This ſpiritual tournament produced it's natural and uſual effect: each champion claimed the victory, each party retired with encreaſed acrimony againſt the other. The bulk of the nation adhering to their ancient faith, the cauſe of religion became the cauſe of the nation; and it fatally ſeemed, as if the Engliſh government

* Viz. Staples of Meath, Lancaſter of Kildare, Travers of Leighlin, and Coyn of Limerick.

were predetermined not only to oppreſs, but to irritate the people of Ireland.

*Doctor Leland informs us, that at this time John Bale, the violent and acrimonious impugner of popery, was nominated to the ſee of Oſſory. His rigid and uncomplying ſpirit appeared immediately on his conſecration. Even the weak among the new reformed, were terrified, and the Romiſh party held this ſpirited and turbulent enemy, in the utmoſt abhorrence. His learning, which was ſtupendous, compared with that of his Iriſh brethren, promiſed to do conſiderable ſervice to the reformation in Ireland, and even the vehemence of his temper ſeemed well ſuited to the place and circumſtance of his miſſion. But the truth is, that the buſineſs of religious reformation in Ireland, had hitherto been nothing more, than the impoſitions of Engliſh government, on a people vehemently addicted to their ancient worſhip; not ſufficiently obedient to the Engliſh government, but ſlightly impreſſed with fear, and in no degree reconciled by kindneſs. Bale, inſulted the prejudices of his flock without reſerve or caution. They were provoked, and not ſo reſtrained or awed by the civil power, as to diſſemble their reſentments. During the ſhort period of his reſidence in Ireland, he lived in a continual ſtate of fear and perſecution. On his firſt preaching the reformed doctrines, his clergy forſook him or oppoſed him; and to ſuch violence was the populace ſpirited up againſt him, that five of his domeſtics were ſlain before his face: and his own life was ſaved by the interpoſition of the magiſtrate.

As a mean of eſtabliſhing the tranquillity of Ireland on a more permanent baſis, warm applications were made by the deputy to the Engliſh cabinet for an extenſion of the Engliſh law to the Iriſh natives, throughout the kingdom. But they were not attended to. Times and circumſtances were altered. When the power and poſſeſſions of the Iriſh were confined within much more limited bounds, when they ſmarted under the various oppreſſions of the adventurers from Britain, they deſired, they entreated, they offered to purchaſe the participation of the Engliſh law. Their ſentiments were changed with their circumſtances: and they had relapſed into all their innate prepoſſeſſions in favor of their ancient inſtitutions. The late attempts to force them to renounce their ancient faith, which they had received from St.

* 2 Lel. 200.

Patrick,

Patrick, and to adopt a new ſyſtem of religion with an Engliſh ritual, naturally connected themſelves with the national prejudices, againſt Engliſh oppreſſion; and cooperated in raiſing the inſurrection of Tyrone, for the ſuppreſſion of which, we muſt look to a later period of the Iriſh hiſtory. This nobleman, notwithſtanding the fulneſs of his late ſubmiſſion, and his acceptance of an Engliſh title, retained all his native predilections for the greatneſs and regal ſplendor of his family. He had once pronounced a curſe on thoſe of his poſterity, who ſhould conform to the Engliſh manners, or aſſociate with the Saxon race. With this he was often upbraided by his kinſmen and followers; and finding the Iriſh nation now more eſtranged than ever from the Engliſh government, by their recent attempt to force them out of their religion, he choſe this as the moſt favorable moment to ſhake off the trammels of allegiance, and revert to the ancient conſequence and independance of O'Nial.

The unexpected death of Edward VI. and the ſhort reign of his ſiſter Mary, gave a temporary reſpite to the troubled ſtate of Ireland, as far at leaſt, as it depended upon England. But inaſmuch as all the meaſures of the Britiſh cabinet in the former reign which affected Ireland, related ſolely to the eccleſiaſtical ſyſtem: ſo the principal effect of the acceſſion of Queen Mary to the throne of her anceſtors was, that ſhe firſt by a proclamation counteracted, and did away whatever innovations had been introduced into the eccleſiaſtical eſtabliſhment, by the proclamation of her infant brother. She then convened a parliament, which repealed all the acts of her father touching religion, which had been paſſed after the twentieth year of his reign, and the civil eſtabliſhment of the catholic religion was preciſely reſtored to the ſtate, in which King Henry VIII. had found it on the demiſe of Henry VII. The Proteſtant biſhops were deprived, and Catholic biſhops ſubſtituted to their ſees. The poſſeſſions of the church, which had paſſed into lay hands, were confirmed to the poſſeſſors, as they were in England, by the concurrent approbation of the lords, ſpiritual and temporal, the ſovereign, and the pope. This parliament of the 3d and 4th of Phillip and Mary, began with declaring that the queen had been born in lawful wedlock, and therefore annulled and repealed all ſentences of divorce, and all acts paſſed in the reign of Henry, by which the ſucceſſion to the crown had been ſettled to the prejudice of Mary. They adopted the proceedings of the Engliſh parliament for aſcertaining ſuch offences againſt the king and queen, as

ſhould

ſhould be deemed treaſon; and for the government and adminiſtration of the realm by their iſſue.

Beſides the acts paſſed in this parliament for the reſtoration of the civil eſtabliſhment of the Catholic religion, others were paſſed for the civil government of the realm.* The uſual ſubſidy, and for the uſual term, was granted to the queen for the ſpecial purpoſe, as the act expreſſes it, of enabling her Majeſty to expel the Scotch iſlanders, who had emigrated from their own country as an avowed band of mercenaries. Theſe adventurers having come over upon the ſpeculation of profiting of the internal diſſentions of the Iriſh chieftains, were open to whichever party held out the moſt lucrative terms. Their numbers were ſo conſiderable, and their outrages ſo alarming, that it was declared to be high treaſon to invite them into Ireland or to entertain them, and felony to intermarry with them without licence of the lord lieutenant. The advantages gained by the Earl of Suſſex over the two moſt powerful ſepts of Leinſter, the O'Moors, and the O'Connors, enabled the Engliſh to extend the pale, by reducing their territories of *Leix*, and *Offaly* into two counties: they were by act of parliament veſted in the crown and converted into ſhire land. *Leix* was denominated the queen's county, and it's principal fort was ſtiled *Maryburgh:* and with a like compliment to her royal conſort, *Offaly* was called the king's county, and its fort was called *Phillipstown;* "which," as Sir John Davis obſerves, "were the two firſt "counties, that had been made in this kingdom, ſince the 12th year of "King John." And he continues. "This noble earle having thus ex-"tended the juriſdiction of the Engliſh into two counties more, was not "ſatisfied with that addition, but took a reſolution to divide all the reſt of "the Iriſh counties unreduced into ſeveral ſhires: and to that end he cauſed "an act† to paſſe in the ſame parliament, authorizing the lord chancellour "from time to time to award commiſſions to ſuch perſons, as the lord deputy "ſhould nominate and appoint to viewe and perambulate thoſe Iriſh territo-"ries; and thereupon to divide and limit the ſame into ſuch and ſo manie

* Borlaſe in his Reduction of Ireland, p. 117, ſays that the Earl of Suſſex paſſed many acts to the benefit of the nation, and returned into England December 4, 1557.

† To ſhew the precarious title of the crown out of the pale, the preamble of this act particularly recites, that as theſe territories were known not to be within any ſhire of the kingdom, no title for the king could be found, as will be ſeen at large in the 1ſt Section of 2 Chap. of 3 and 4 P. and M. App. No. VI.

ſeveral

" ſeveral counties, as they ſhould thinke meete; which being certified to the " lord deputie and approved by him, ſhould bee returned and enrolled in " the Chancery, and from thenceforth be of like force and effect, as if it " were doone by act of parliament. Thus did the Earle of Suſſex lay open a " paſſage for the civill government into the unreformed partes of this king- " dome; but himſelf proceeded no further than is before declared."

So confident was the Engliſh government of the tranquil and pacific diſpoſition of the Iriſh in this reign, that the queen ordered the army to be reduced to 500 men; but that was not thought reaſonable in Ireland. However, in order to comply as far as circumſtances would allow with her majeſty's orders, the army was reduced to 600 foot, 460 horſe, and ſome *few kerns.** The turbulence, however, of the Iriſh chiefs, and their inceſſant wars with each other, and the refractory and lawleſs conduct of the Scottiſh adventurers, rendered it neceſſary to encreaſe the army with freſh reinforcements from England. Although the Iriſh were, in general, highly gratified by the reſtoration of the Catholic religion to its ancient footing in this reign, yet were they not altogether ſatisfied with the civil adminiſtration of the power of the crown within their kingdom. They were particularly ſore at the power veſted in the Lord Lieutenant, to diſpoſe of the territories of *Leix* and *Offaly* in grants at the royal pleaſure, in violence to the rights of thoſe natives, to whom thoſe lands had hitherto belonged. So that O'Sullivan, the Iriſh annaliſt, plainly avows, that notwithſtanding her zeal for ſupporting and promoting the Catholic religion, yet was her adminiſtration injurious to Ireland.†

* Light infantry.

† *Quæ tametſi Catholicam religionem tueri et amplificare conata eſt, ejus tamen præfecti et conciliarii injuriam Ibernis inferre non deſiterunt.* Sull. Cath. Hiſt. p. 82.

CHAP.

CHAPTER II.

THE REIGN OF ELIZABETH.

UPON the demiſe of the crown in 1558, Queen Elizabeth found the Iriſh nation more tranquil and ſubmiſſive to the Engliſh government than it had been under any of her predeceſſors. She prudently continued the Earl of Suſſex in the Lieutenancy, who was very acceptable to moſt of the natives, and had, with a garriſon of 320 horſe and 1360 foot, kept Ireland in a peaceable and quiet condition.* Yet, notwithſtanding the general diſpoſition of the nation to be ſubmiſſive to the Engliſh government, none of the provinces were altogether free from the diſorders of internal diſſention. It may be naturally preſumed, that much of the pacific conduct of the Iriſh during the ſhort reign of Mary, was attributable to the general ſatisfaction, which the redintegration of the civil eſtabliſhment of the Catholic religion afforded to the nation at large. But no ſooner had Elizabeth declared for the Reformation, than general diſcontent pervaded the whole nation within and without the Pale. Amongſt the firſt inſtructions ſent to Lord Suſſex, written in Cecil's own hand, were directions to make a ſurvey of all lands, both ſpiritual and temporal, that no lands ſhould be letten but upon the beſt ſurvey, and that the lands of Leix and Offaly ſhould be diſpoſed of to tenants and their heirs male, to the beſt advantage of the queen and the country. " He had it alſo (ſays Borlaſe) in charge ſtrictly to look to the Iriſh, " who, being a ſuperſtitious nation, may eaſily be ſeduced to rebellion, " through the practices of the French (then at difference with England), " under pretext of religion." Every province was ſoon thrown into a ſtate of commotion or diſpoſed to inſurrection. Munſter was diſtracted by the inveterate enmities and animoſities of the O'Brians, Thomond, Deſmond, and Ormond. Connaught was miſerably harraſſed by the feuds ſubſiſting between Clanricarde and another ſept of the De Burghos. In Leinſter, the ſurvivors of the old families of Leix and O'Fally conſidered themſelves de-

* Borl. Red. p. 121.

prived

prived of their inheritances, by an iniquitous ſcheme of fraud and treachery, ſupported by power, violence, and oppreſſion: they were ſtimulated by revenge and a ſpirit of repriſal to riſe in arms, and ſeize every opportunity of haraſſing and deſpoiling the grantees of their lands. The North was threatened with the moſt formidable inſurrection from John O'Nial; who, upon the death of his father in confinement at Dublin, now claimed the royal ſovereignty of the whole province of Ulſter.

In this ſituation of affairs, Elizabeth's firſt concern was to ſpread the influence of the reformed religion through Ireland, as ſhe had ſucceſsfully done throughout England; not only as to the ſpiritual ſupremacy, which alone her father had attempted, but as to ſeveral dogmatical points of faith. Conſcious that this innovation would be ſtrongly oppoſed even by a parliament of the Pale, ſhe gave ſpecial inſtructions to her lieutenant to prædiſpoſe the members to the meaſure, and ordered writs to be iſſued to the repreſentatives of ten counties; whereas for a long ſeries of years they had only been iſſued to ſix. Being tolerably ſure of a majority in both houſes, a parliament was convened in the ſecond year of her reign; by which it was enacted, that the ſpiritual juriſdiction ſhould be reſtored to the crown: that all the acts of her ſiſter Mary, by which the *civil eſtabliſhment* of the Roman Catholic religion had been reſtored, ſhould be repealed: that the queen ſhould be enabled to appoint commiſſioners to exerciſe *eccleſiaſtical* juriſdiction: that all officers or miniſters, eccleſiaſtical or lay, *ſhould on pain* of forfeiture and total incapacity take the *oath of ſupremacy*: that every perſon, as well as his aider, abettor, or counſellor, who ſhould in any way maintain the ſpiritual ſupremacy of the Biſhop of Rome, ſhould forfeit for the firſt offence, all his eſtates real and perſonal (or be impriſoned for one year if not worth 20*l.*), incur a præmunire for the ſecond offence, and become guilty of high treaſon for the third offence: that the uſe of the Common Prayer ſhould be enforced as in England: that every perſon ſhould reſort to the eſtabliſhed church, and attend the new ſervice under pain of eccleſiaſtical cenſures, and of the forfeiture of twelve-pence for every offence, to be levied by the church-wardens by diſtreſs of the lands or chattels of the defaulter: that the firſt fruits and twentieths of all church revenues ſhould be reſtored to the crown; and the old writ and form of *congé d'élire* ſhould be ſuperſeded by the king's letters patent, by which in future all collations to vacant ſees ſhould be made. Theſe ordinances were followed by an act of recognition of

the queen's title to the crown; and it was made a caſe of *præmunire* to ſpeak, and treaſon to write againſt it.

So much had Suſſex been alarmed by the oppoſition he had encountered in parliament,* though he ultimately ſucceeded, that he found it neceſſary quickly to diſſolve it. He repaired to England to give to the queen, in perſon, a minute and faithful account of the reception theſe new laws had met with from the Iriſh nation. The immediate effects of this parliament are thus deſcribed by Dr. Leland.† "The people were particularly provoked "by the violence offered to their religious prejudices. The partizans of "Rome inveighed againſt the heretical queen and her impious miniſters. "The clergy, who refuſed to conform, abandoned their cures; no reformed "miniſters could be found to ſupply their places; the churches fell to ruin; "the people were left without any religious worſhip or inſtitution, even "in places of moſt civility; and the ſtatutes lately made were evaded or "neglected with impunity."

In this general diſcontent of the nation, the whole kingdom was for ſeveral years convulſed, either with the internal feuds and wars of the chieftains with each other, or the grand inſurrection of O'Nial, that ended by his treacherous murder at a banquet in the camp of the Scotch adventurers. In order to put an end to the factions and diſturbances of the nation, to provide for the neceſſities of government, and forward both the civil and eccleſiaſtical reform of the nation, Elizabeth, in the eleventh year of her reign, convened another parliament, which continued by ſeveral prorogations to the thirteenth. This parliament, like moſt other parliaments of Ireland, amidſt ſome plauſible and beneficial acts contrived to paſs others,

* It ſat from the 12th of January to the 12th of February.

† 2 Lel. p. 226. We have a very fair and candid judgment of recent authority, for the impolicy and injuſtice of the ſyſtem of government carried on in Ireland, under Queen Elizabeth. "It ſeems difficult to conceive any more unjuſt or impolitic act of government, than an attempt "to force new modes of religious faith and worſhip by ſevere penalties, upon a rude, ſuperſtitious, "and unlettered people. Perſecutions or attempts to force conſcience will never produce convic- "tion. They are calculated only to make hypocrites or martyrs: and accordingly the violence "committed by the regency of Edward, and continued by Elizabeth, to force the reformed religion "on Ireland, had no other effect, than to foment a general diſaffection to the Engliſh government; "a diſaffection ſo general, as to induce Philip II. of Spain to attempt partial deſcents on the "Southern coaſts of this iſland, preparatory to his meditated attack upon England." *Speech of Lord Clare in the Iriſh Houſe of Lords, 10th of February, 1800, p. 9.*

which

which in their nature could but increaſe the diſaffection of the people, and conſequently operate to the prejudice of both kingdoms. Such muſt ever be the effect of the unconſtitutional formation of a parliament for the baſe purpoſe of giving legiſlative ſanction to unjuſt meaſures.* Whilſt the Engliſh government purſued a ſyſtem ſo glaringly oppoſite to the will of the Iriſh people, and conſequently deſtructive of their peace and welfare, a ſtrong oppoſition was to be expected from every member, who had not already betrayed his country through fear, or ſold it for lucre. The intentions of government had been foreſeen, and the utmoſt efforts openly exerted to ſtrengthen their intereſt: for this purpoſe, conſiderable management had been uſed, and even great irregularities committed in the elections and returns of the commons. Stanihurſt, recorder of Dublin, and Sir Chriſtopher Barnewall, a favorite of the old Engliſh race, were propoſed, by their reſpective partizans, for the office of ſpeaker; and the election of Stanihurſt, by the influence of the court, ſerved to enrage the party in oppoſition. Barnewall, who was eſteemed for his political knowledge, inſiſted that the preſent Houſe of Commons was illegally conſtituted; on this ground, he oppoſed the admiſſion of any bill, and was ſupported by Sir Edmond Butler and the whole of the real landed intereſt of the kingdom. In proof of the aſſertion, it was alledged, that ſeveral were returned members for towns not incorporated; that ſeveral ſheriffs and magiſtrates of corporations had returned themſelves; but above all, that numbers of Engliſhmen had been elected, and returned as burgeſſes for towns, which they had never ſeen or known, and conſequently could not be conſidered reſidents, as the laws directed. Four days were ſpent in clamorous altercation; the diſcontented members declaring, with great violence, againſt receiving any bill, or proceeding on any buſineſs. The ſpeaker attended the lord deputy and council, to explain their objections to the conſtitution of the houſe. The judges were conſulted, and they declared, that thoſe returned for towns not incorporated, and the magiſtrates who had returned themſelves, were incapable of ſitting in parliament: but as to the members not reſident in the towns for which they

* It has often been ſaid that England could never be ruined but by a parliament. And there has been too much reaſon for many late aſſertions, that Ireland could not be ſaved whilſt it had a parliament.

† I have followed Dr. Leland (2 vol. p. 241) in deſcribing this early eſſay of legiſlating by a ſure majority.

were returned, that they were entitled to retain their ſeats, and that the penalty of returning them ſhould alight on the reſpective ſheriffs: a deciſion which ſtill left the government that majority of friends, which ſo much pains had been taken to procure; and which conſequently encreaſed the violence of the oppoſite party. Nor did the clamor ceaſe until the judges came to the commons houſe, and there avowed their opinion; when Barnewall and his party reluctantly acquieſced, and reſerved themſelves for a vigorous conteſt againſt the meaſures of thoſe, whom they regarded as an *Engliſh faction.*

Amongſt the Engliſhmen returned to this parliament, was Mr. Hooker,* member for Athunree; he was alſo a member of the Engliſh parliament, and acquainted with the order and uſage of its proceedings; he affected to be highly ſcandalized at the tumult and irregularity of the Iriſh commons, but was himſelf moſt violent in his oppoſition to Barnewall and his party. He broached ſome doctrines upon the royal prerogative, which though familiar in England, were yet novelties to the native Iriſh, who, looking up to the ancient conſtitution, were as yet neither dazzled by the ſplendor of a court, nor terrified by the peremptory deciſions of an imperious monarch. It raiſed a flame ſo violent, that the aſſembly was adjourned in confuſion, and Hooker retired under protection of a guard to his houſe. This violence having abated after ſome days they proceeded to buſineſs.

It is to be preſumed, that had there not been ſo formidable an oppoſition, more acts would have been paſſed to forward the Reformation. One ſtatute only, and that in the fourth ſeſſion, was paſſed which concerned religion, by which the governor was empowered to preſent to all the dignities of Munſter and Connaught for ten years, in conſequence of abuſes by preſenting improper perſons. *The Act for the Attainder of Shane O'Neile, and the extinguiſhment of the name of O'Neile, and the entitling of the Queen's Majeſtie, her heyres and ſucceſſors, to the county of Tyrone, and to other countries and territories in Ulſter* (11th Eliz. C. 1. Seſſ. 3.), ſeems to have been pointedly calculated to inſult the feelings of the Iriſh nation, and conſequently to enflame their animoſity and rancor. It enumerates all his acts of outrage and rebellion in a ſtile of vindictive acrimony, and in order to expoſe the futility of the pretences of this, or any Iriſh family to ſovereignty in Ireland, it affects to deduce the title of the Engliſh monarch

* To him we are indebted for theſe particulars.

to

to the abſolute ſovereignty of the whole kingdom of Ireland as paramount even to the Mileſian race of kings:* ſetting forth a fabulous tale of one King Gurmonde, ſon to the noble King Belan of Great Britain, who was Lord of Bayon in Spain, as many of his ſucceſſors were to the time of Henry II. who poſſeſſed the iſland *afore the comeing of Iriſhmen into the ſaid lande.* This was a moſt wanton act of violence offered to the feelings of a people, ſingularly proud of their royal lineage and anceſtry, and by public inſtitution ſcrupulouſly chaſte as to the fidelity of their national traditions. Nothing ſhort of a wiſh to goad them into rebellion, could have ſo effectually ſpirited them up to it, as thus kindling the flame of patriotiſm by a colliſion with their national honor.

Averſions and affections are uſually reciprocal. Elizabeth was hated by the generality of the Iriſh, and ſhe as cordially deteſted them. The inſurrection of Deſmond, Clanricarde, and other chieftains, kept the country in a conſtant ſtate of warfare. The unſucceſsful attempts of Sir Thomas Smith, and afterwards of the queen's prime favorite the Earl of Eſſex†, to *eſtabliſh* an Engliſh ſettlement in Ulſter upon the forfeited lands, greatly exaſperated the queen. In the indulgence of her reſentment ſhe afforded new grounds of diſaffection even to her own ſubjects within the Pale. She ordered Sir William Sidney, her lieutenant, to *impoſe* by the mere authority of council a new tax, by way of *compoſition* for the charge of purveyance, which amounted to about *twelve* pounds for every plough land. A general and violent *diſcontent was the* immediate conſequence of this act of government, *which was followed* up by a remonſtrance to the lord lieutenant *againſt* a *ſyſtem* of taxation ſo oppreſſive and unconſtitutional. Sydney perſiſted in ſupporting the prerogative, by which he contended the queen had a right to impoſe the tax; but offered to moderate it. Oppoſition in a cauſe ſo popular gained daily acceſſion of ſtrength: the principal lords through all parts of the realm refuſed obedience to the edict of council, and enjoined

* For this curious abſtract of the queen's title to all the land in Ireland, vide the Appendix No. VII. as it is recorded in the ſtatute.

† Few circumſtances ſo truly delineate the ſpirit and power of an enemy, as the unreſerved and confidential reports of the perſon who has to oppoſe them, in communications, which are not intended for the public eye. The letter of Eſſex to the queen will let us into more light upon the ſtate of the Engliſh power in Ireland at this time, than the moſt elaborate repreſentations of cotemporary, much more of modern authors. Vide App. No. VIII.

their

their tenants and dependants to refuſe payment of the aſſeſſment. The inhabitants of the Pale finding no redreſs from their governors, aſſembled, deliberated upon their grievances, and reſolved to depute three confidential agents or commiſſioners to procure redreſs from the queen. They preſented to her Majeſty a written memorial of their caſe ſigned by the Lords Baltinglaſs, Delvin, Hoath, Trimbleſtowne, and Bellew, Mr. Nangle, ſome of the families of Plunket, and Nugent, with other diſtinguiſhed inhabitants of the counties of Meath, and Dublin, in the names of all the ſubjects of the Engliſh pale. In lieu of redreſs, of which the agents were confident, they were by order of the queen committed to the Fleet Priſon as contumacious oppoſers of the royal authority: ſhe alſo ſent orders to Sydney to confine every perſon, who ſhould offer any oppoſition or remonſtrance againſt the new impoſition, and diſmiſs from their offices all her ſervants and counſellors learned in the law, who had been preſent at the original complaint, and neglected to maintain her royal prerogative. Some gentlemen of the firſt diſtinction again remonſtrated againſt this unconſtitutional mode of taxation: and inſiſted upon paying no tax not legally impoſed by parliament. They were inſtantly committed to cloſe confinement in the caſtle: and the agents in England upon a ſecond application to the throne were removed from the Fleet to the Tower; a proceeding which implied that their offence was conſidered to be of a treaſonable nature. The whole body of Iriſh ſubjects took the alarm, and the unanimity of their voice even terrified this arbitrary monarch. Both agents and remonſtrants were ungraciouſly diſmiſſed, upon making an acknowledgment, that they intended not to reſiſt any juſt prerogative of the crown. This forced ſubmiſſion of the imperious queen to the rights of her Iriſh ſubjects was probably wrung from her by the intelligence ſhe had received of the intentions of the King of Spain to invade her kingdoms, in retaliation for her fomenting and ſupporting the inſurrection of his rebellious ſubjects in the Netherlands. Applications alſo had been frequent and urgent from the Iriſh chieftains to the court of Rome, for ſuccours to enable them to ſhake off the Engliſh yoke and preſerve their ancient religion.

The inſurrection of Deſmond was not yet ſubdued: and a band of private adventurers, partly Spaniſh, partly Italian, and partly Iriſh, who had inſtigated them to the enterprize, landed a body of about 600 men on the coaſt of Kerry: they brought with them ammunition and arms for 5000 men:

and

and took poſſeſſion of the fort of Smerwick, which the Spaniards had began to erect but left unfiniſhed. They were not joined as they expected by the Iriſh: being overpowered by numbers they ſurrendered at diſcretion: and horrible to relate, every individual except the commander and his ſtaff, after having laid down their arms, was maſſacred in cold blood. This military butchery was committed under the orders of Sir Walter Raleigh, who commanded the beſieging force: it was attempted to be juſtified by the imperious circumſtance of an inferiority of numbers on the ſide of victory: and the queen is reported to have ſtrongly reprobated the meaſure, when informed of it. It was however followed up with as much encreaſed rancor and virulence againſt the queen, as if ſhe had with her own hand ſigned the mandate for this bloody execution, after a ſolemn treaty upon oath, that the foreigners ſhould be permitted to depart unmoleſted with all the honors of war.

Although the inſurrection of Deſmond were now nearly ſuppreſſed, yet ſuch was the fatality of Ireland, that ſhe was ever to be a ſtranger to the enjoyment of national peace and tranquility: for ſcarcely could the olive branch be diſtinguiſhed through the turbulent atmoſphere of blood and ſlaughter, ere ſhe were again provoked by the exceſſive rigor of her governors into freſh outrages. The Baron of Lixnau openly appeared in arms and was quelled: he pleaded that he had been irritated into rebellion by the galling oppreſſions of Grey and his officers. In this inſtance the cry of grievance was not unattended to: policy created juſtice: Lord Grey was recalled: and a general amneſty offered to ſuch of the rebels, as would accept of it. The queen had been for once truly informed, that if her governor continued to tyrannize with ſuch barbarity, little would be left in Ireland for her majeſty to reign over, but aſhes and carcaſes.

The diſſatisfaction of the Iriſh at the attempts to force the reformed religion upon them, and the excommunication of Elizabeth by Pius the Fifth, afforded a popular pretext for any riſing againſt the government: the queen however was reſolved to profit of the firſt appearance of tranquility to convene a parliament. Deſmond had been found in a retired cabin and beheaded by a common ſoldier; and Baltinglaſs had fled in deſpair into Spain; Sir John Perrot the deputy had by his activity brought the nation into a more general diſpoſition to loyalty, than had been manifeſted at any time ſince the acceſſion of Elizabeth to the throne. It was the pride of

Sir

Sir John Perrot to diffuſe a ſpirit of ſubmiſſion and conformity to the Engliſh government, laws, and cuſtoms amongſt the native Iriſh. To this parliament were ſummoned all the Iriſh chiefs, and many of them attended: but being ſo differently conſtituted, government could not expect from it* the ſame ductility they had experienced from the laſt. No attempt was even made in ſupport of the new religion. The firſt part of the buſineſs of the ſeſſion was a motion from the court party for a ſuſpenſion of Poyning's law; which was negatived by the oppoſite or country party; theſe gentleman, particularly from the experience of the late parliament, were little diſpoſed to inveſt the governor with a power of aſſenting to any laws, which might be procured in parliament: not having been yet broken in to the ſyſtematic ſupport of meaſures by anticipation, they brought with them a very ſtrong, though natural, jealouſy and ſuſpicion, that adminiſtration meditated ſome ſcheme of oppreſſive and extraordinary taxation. In this ſpirit they alſo oppoſed ſome other of the tranſmitted bills: even that for the renewal of the ordinary ſubſidy of 13s. 4d. for every plough land. They moſt determinedly rejected a bill for veſting in the queen the lands of traitors without office or inquiſition, or even to declare thoſe traitors, who ſhould rebelliouſly detain any of her caſtles. The miniſter of the crown finding the parliament in a diſpoſition to maintain the rights of Ireland againſt all demands and inſtructions from England, prorogued it after a ſhort ſeſſion of conteſt and oppoſition.† The ſecond ſeſſion of this parliament was begun on the 26th of April 1586, and with much difficulty was the bill for the attainder of Deſmond paſſed. The grand object of this bill was the forfeiture of his vaſt poſſeſſions, which were then computed at 574628 Iriſh acres. In order to prevent this forfeiture, a feoffment from Deſmond of all theſe lands previous to his treaſon was produced by one of the members, who was a Geraldine. The houſe was at firſt embarraſſed, and about to acquieſce in the validity of the inſtrument, when the original of an aſſociation was produced of a date prior to that of the fraudulent grant, to which the name of this Geraldine was ſubſcribed, and which expreſsly avowed the

* The Annals of the Four Maſters give the names of many of the Mileſian families that attended this parliament, which was the firſt that extended beyond the Pale. Vide Appendix, No. IX.

† Two acts were only paſſed in this firſt ſeſſion, viz. for the attainder of Lord Baltinglaſs, and reverſing that of Lord Walter Delahyde.

defiance and oppoſition of it's members to the queen's government.* The bill then paſſed without further oppoſition for the attainder of Deſmond and about 140 of his accomplices, and all their honors and eſtates were declared to be forfeited to the crown. This alſo gave occaſion to another bill for annulling any ſuch fraudulent conveyances in future. Some other bills of regulation were paſſed, particularly that for the impoſt and cuſtom of wines, which had been thrown out in the former ſeſſion.† From this time is to be dated the commencement of that unparalelled ſyſtem of confiſcation and depopulation, which being in its nature diametrically oppoſite from that of union pointedly marks the evils, which ſo long afflicted Ireland from the want of this ſalutary meaſure.

In order to extirpate the aboriginal owners of the ſoil, tranſpoſe the property and alter the very face of the country, Elizabeth now entered upon her favorite ſcheme of planting or repeopling Munſter with an Engliſh colony. Letters were written to every county in England, to encourage younger brothers to become undertakers, or adventurers in Ireland. Eſtates were offered in fee at a ſmall acreable rent of three-pence, and in ſome places two-pence, to commence at the end of three years; and one half only of theſe rents was to be demanded for the three following. Seven years were to be allowed to complete the plantation. The undertaker for 12000 acres was to plant eighty-ſix families on his eſtates; thoſe who engaged for leſs ſeignories, were to provide in proportion. None of the native Iriſh were to be admitted among their tenantry. And amongſt other advantages, they were aſſured that ſufficient garriſons ſhould be ſtationed on their frontiers, and commiſſioners appointed to decide their controverſies. Sir Chriſtopher Hatton, Sir Walter Raleigh, Sir Thomas Norris, Sir Warham Saintleger, Sir George Bourchier, and a number of other gentlemen of power and diſtinction received grants of different portions.

In Connaught another ſyſtem was purſued, which tended proportionally to ſharpen the rancour of the people againſt the government. The ſheriffs and other officers of juſtice, who had been admitted by the burghers, followed the example of the lord preſident, and acted not only with rigor, but with

* In order to ſhew the nature and grounds of this inſurrection of Deſmond, the form of the aſſociation is given in the Appendix, No. X, and alſo a letter from Deſmond to Ormonde.

† As a proof of the humour of theſe times, they paſſed an act againſt witchcraft and ſorcery.

imperiouſneſs. They entered the ſeveral counties, attended with large bodies of armed men, pillaging the inhabitants, whom they affected to deſpiſe, terrifying them with their military train, and rendering the execution of the laws odious and oppreſſive: thus confirming and encreaſing their averſion from a ſyſtem accepted with reluctance.* Sir Richard Perrot ſeverely reprobated the harſh and violent government of Bingham, urging ſeveral inſtances, in which the old inhabitants had been provoked and forced into inſurrection by injuſtice, rigor, and oppreſſion. Bingham on the other hand urged the neceſſity of a ſtrict and ſevere government in a diſordered ſtate, the reſtleſſneſs and inſincerity of the old natives, and the danger to be apprehended from the governor's preſent indulgence.† Whether in this (as in more recent inſtances) the ſyſtem of mildneſs or that of rigor were ultimately more conducive to the welfare of the ſtate, will ever be controverted by the reſpective advocates for moderation or terroriſm. It muſt however be admitted on all hands, that ſubmiſſion produced by fear, is ever different from the obedience and fidelity, which ſpring out of affection and attachment.

It may not perhaps be altogether candid to lay to the account of Elizabeth

* Sir John Davis tells us, p. 251, that to enure and acquaint the people of Munſter and Connaught, with the Engliſh government againe (which had not been in uſe amongſt them for the ſpace of 200 years before) Sir Henrie Sydney had inſtituted two preſidency courtes in thoſe two provinces, placing Sir Edward Tritton in Connaught, and Sir John Perrot in Mounſter; (and p. 252:) Though he reduced all Connaught into counties, he never ſent any juſtices of aſſize to viſite that provence, but placed commiſſioners there, who governed it only in a *courſe of diſcretion*, part martial and part civil. Sir Richard Bingham preſided in Connaught whilſt Sir Richard Perrott was the lord deputy. Sir Richard Perrot conſidered the peace and welfare of Ireland, as the honor and advantage of England, and was deſirous of extending the Engliſh aſcendancy by coaleſcing and uniting with the natives, and bringing their ſeveral intereſts into a common focus, by a mild though efficient government. Sir Richard Bingham was ſupported by the court in carrying on a government of rigor, cruelty, and oppreſſion, and he ultimately ſucceeded in overturning the adminiſtration of Perrot.

† It has been too frequently the caſe in Ireland, that the governors, who have deſerved the beſt of Ireland, have fallen victims to a ſpirit of intrigue in England, or rather to the Engliſh aſcendancy in the Iriſh cabinet. Perrott was recalled, accuſed and found guilty of treaſon, but died before judgement was executed upon him. Borlaſe ſays, the queen's anger being qualified, there were great hopes of his pardon. (P. 140.) His biographiſt ſays of him, *Pacificavit Connaciam, relaxavit Mediam, Subjugavit Ultoniam, fregit Lageniam, ligavit Mononiam, Extirpavit Scotos, refrænavit Anglos: & his omnibus peræque vectigal acquivivit Reginæ.*

every

every abuſe of power by her deputy; the Iriſh however who ſmarted under the abuſe, would not eaſily detach the vice of the agent from that of the principal. Sir William Fitzwilliam, the new deputy, is repreſented to have been intereſted and corrupt in the extreme: conſidering himſelf ſent out to that government with a view to reward former ſervices ſtill unrequited, he aſſumed the government as a ſource of ſelf-remuneration, and reſolved to take every occaſion of converting it to his own emolument. In ſearch of imaginary treaſures brought into the country by that part of the Spaniſh armada, which had been driven on the north weſtern coaſt, he drove O'Rourke of Breffney* into open rebellion; and without any proof, or even preſumption of guilt, he committed Sir Owen Mac Toole, and Sir John O'Dogherty to cloſe confinement in the caſtle of Dublin: theſe two perſons eminently reſpected within the Pale, had rendered ſignal ſervices to government, and were always known to have been well affected. Fitzwilliam choſe to ſuſpect them of having ſecreted Spaniſh treaſure: and on that charge alone kept them confined without means of juſtifying themſelves by any ſort of trial. One was releaſed on the point of death, brought on by the ſeverity of his durance, and the other after two years impriſonment purchaſed his liberty for an enormous ſum of money. This ſevere and arbitrary treatment of two perſons univerſally revered, was received with univerſal abhorrence. The loyal Iriſh trembled for their own ſafety: many repented of their ſubmiſſions: and the diſaffected were confirmed in their inveteracy. And as if the ſecret fire of diſcontent and animoſity were not ſufficiently kindled in the northern province, Fitzwilliam by his intemperate conduct ſeemed to court every occaſion of feeding the flame.

Mac Mahon, chief of the diſtrict called Monaghan, had ſurrendered his country, holden by Taniſtry, to the queen, and had taken a regrant thereof from the crown to himſelf in tail male, with remainder in like manner to his brother Hugh. Having died without iſſue, Hugh petitioned to be admitted to his inheritance: but immediately upon his arrival in Dublin, he was committed to priſon. Fitz-William went into Monaghan, where he received an accuſation againſt Hugh, that two years before he had hoſtilely entered into a neighbouring diſtrict to recover ſome rent due to him by force of arms.

* After ſome hoſtilities he was obliged to flee to Scotland, where by the order of the king he was ſeiſed and delivered up to Elizabeth; he was afterwards hanged as a traitor in London.

In the unreformed parts of Ireland, theſe actions were common and unnoticed; but the Engliſh law made them treaſonable. The unhappy Mac Mahon for an offence committed before the law, which made it capital, had been received in his country, was tried, condemned by a jury (ſaid to have been formed of private ſoldiers), and executed, in two days, to the utter conſternation of his countrymen. His eſtate was diſtributed to Sir Henry Bagnall and other adventurers, and four of the ſept of *Mac Mahon.**

Such being the ſituation of the Iriſh, any affectionate attachment to the queen was not to be expected from them: their forced ſubmiſſion could be no more than an inſidious ſuſpenſion of hoſtilities, till the favourable moment for riſing in arms ſhould preſent itſelf. The inſurrection ſoon became general;† and ſo precarious did the very exiſtence of the Engliſh power appear to government, that the queen condeſcended to appoint a commiſſion of Sir Robert Gardiner and Sir Henry Wallop to conclude a peace with the Iriſh. This treaty was very ſolemn, and whilſt it was pending, moſt of the Iriſh potentates made their complaints and petitions for redreſs of their reſpective grievances, which are to be ſeen at large in Morryſon, p. 113. It produced, however, no more than a truce for ſome months, viz. to the 1ſt of April, 1596. The Engliſh hiſtorians generally attribute the failure of this treaty to the inſolent and unconſcientious demands of the Iriſh, whoſe terms

* Sir Richard Cox, 1 vol. p. 359, ſays, that it coſt him 600 cows to get a promiſe to be ſettled in his brother's inheritance; and that the four Mac Mahons who received grants of parts of theſe eſtates, gave large bribes to the deputy. However, ſays he, it muſt be obſerved, that from henceforward the Iriſh loathed ſheriffs and the Engliſh neighbourhood, as fearing in time they might all follow the fate of Mac Mahon, and therefore in the great treaty of Dundalk, in January 1595, they all deſired to be exempted from garriſons, ſheriffs and other officers.

† The inſurrection though general was not univerſal: for after the general ſubmiſſion to the queen, in the laſt parliament, it is remarkable, that no chiefs of the Kavenaghs, O'Moores, O'Tools, O'Dempſies, or O'Connors could ever be brought to join in O'Neil's inſurrection, notwithſtanding they adhered to the religion of their anceſtors, againſt which ſuch ſevere laws had been enacted. A great ſhare of the odium of government fell upon Fenton, the ſecretary, who had maintained his ſituation in a ſort of independence of each deputy and governor through ſeveral ſucceſſive adminiſtrations. He was ſupported by the perſonal favor of the queen, to whom he frequently repaired to lay before her the ſtate of affairs in Ireland, and his own complaints of the different officers, ſo that he was ſaid to be a moth in the garments of all the deputies of his time. He had eſtabliſhed his own conſequence in the oppreſſion of the Iriſh, and abuſed the confidence of the queen, by artful and falſe repreſentations, to continue the ſame pernicious ſyſtem of government for his own emolument and ſecurity.

(according

(according to the Lambeth manuſcript) were three, viz. 1. A general liberty of conſcience. 2. A general pardon for all. 3. That no garriſon, ſheriff, or officer ſhould remain in any of their countries (Newry and Carrickfergus excepted). After the recommencement of hoſtilities, the remainder of Elizabeth's reign was a continued ſcene of the moſt diſaſtrous war, famine, and deſolation. The council gave it under their hands, *that it was an univerſal Iriſh rebellion to ſhake off all Engliſh government.* For a ſeries of years, particularly during the government of the Queen's favorite Eſſex, the arms of England were unſucceſsful. During theſe violent contentions, every enormity was committed by both parties, at the very recital of which the ſoul ſickens. At length the mutual ſyſtem of devaſtation became ſo general, that the produce of that fertile iſland no longer ſufficed to ſupport its wretched inhabitants. The putrified bodies of multitudes that fell daily, more by famine than the ſword, brought on a peſtilence, which threatened to clear the land of its aboriginal race. The advantages in this rueful ſtate of calamity were of courſe with the Engliſh, who by commanding the coaſts were ſupplied with proviſions and other means of ſubſiſtence from England. This calamitous war was at laſt put an end to by the forced ſubmiſſion of Tyrone, and the diſperſion of the other chieftains who had joined him in the rebellion.

The iraſcible and haughty character of *Elizabeth* was ſo affected by the obſtinate reſiſtance of Tyrone, and *her feelings* were ſo worked upon by the diſgrace, trial, and execution of *Eſſex*, all of which ſhe laid to the account of *her rebellious ſubjects in* Ireland, that her diſſolution is generally ſuppoſed to have been accelerated from theſe cauſes. The Lord Deputy Mountjoy preſſed upon Cecil the abſolute neceſſity of an amicable concluſion to the war. But the irritated mind of the queen interpoſed unſurmountable obſtacles: ſo fluctuating and contradictory were her latter orders reſpecting Ireland, that all the art and power of Cecil could not render them practicable to the lord deputy. He had, however, hazarded the bold determination of acting up to reaſon, and, upon his own authority, had ſent articles for a pacification to Tyrone. In the height of his perplexity he received a private communication of the queen's death, of which he moſt prudently availed himſelf by inſtantly cloſing the treaty. The almoſt immediate knowledge of this event threw the humiliated dynaſt into deſpair and rage, from the ſenſe of a precipitate ſubmiſſion, when perſeverance for one ſhort hour would have

have preſerved his honor, maintained his reputation with his countrymen, and afforded a favourable opportunity of renewing the war, or concluding it upon more honorable terms with the new monarch. But the dye was caſt: and the once great and formidable Tyrone, now deſerted by his followers, in the piteous ſtate of fallen greatneſs, caſt himſelf on his knees before the deputy, acknowledged his guilt, implored mercy, and renounced for ever the name of O'Neale, with all his former pretenſions to independence, authority and ſovereignty, entreating to be admitted, through the bounty of his ſovereign, to ſome part of his inheritance for an honorable ſubſiſtence. The deputy pardoned him and his followers, and (with ſome exceptions) promiſed him the reſtoration of his lands and dignity. On theſe conditions the pacification was ratified. Thus cloſed a rebellion evidently brought on, ſtimulated, and continued by the noxious policy of England's treating the Iriſh as a divided, ſeparate, and enſlaved people. But it was a melancholy ſolace, that the reduction of Ireland to this reluctant ſtate of ſubmiſſion, through the gloomy tracts of blood, famine, and peſtilence, coſt the crown of England no leſs than 1,198,717*l.*; a ſum, in thoſe days, enormous. By union alone can a repetition of ſuch ſcenes be effectually prevented.

In a war of ſuch embittered acrimony as that which was carried on between Elizabeth and the Iriſh nation, backed and ſupported by no inconſiderable force from Spain, and often aided by the court of Rome, it was to be expected that religious prejudice and enthuſiaſm ſhould be often reſorted to, in order to enflame the minds in favor of their own, and deteſtation of the adverſe cauſe. Thus every ſpecies of religious influence, by which the leaders (who were perhaps indifferent to all religion*) imagined they could enflame and ſtimulate their followers, was eagerly reſorted to; not as the ground of the contention, but as means of enſuring ſucceſs in the uncertainty of the conteſt. This was not a war of Proteſtants againſt Catholics, for the royal army was filled with Iriſh, and they were moſtly Catholics. Dr. Leland† bears this honorable teſtimony to the religion of the Iriſh nation

* Thus Eſſex, in a conference with Tyrone, who was pleading a zeal for his ancient faith and the true religion, coarſely replied, that his horſe had as much religion as Tyrone. *Moryſ.* 1 *L. p.* 168. Tyrone was very accompliſhed, and ſpoke four modern languages with the fluency of a native.

† 2 Lel. p. 412. (Sull. p. 117, et alibi.) Dr. Leland alſo ſays (p. 306), "Candor obliges us "to acknowledge, that the Romiſh clergy at this period did not uniformly concur in exciting the "Iriſh

nation at that time, that " they ſaw numbers of the Romiſh communion* " act with firmneſs and vigor in ſupport of that government to which they " had ſworn allegiance; they ſaw numbers of their eccleſiaſtics inculcating " the doctrines of civil obedience and ſubmiſſion, and they were virulent in " condemning, and induſtrious in counteracting ſuch doctrines.

†As Elizabeth did not live to ſee the reduction of Ireland completed, her ſucceſſor muſt be conſidered as the firſt Engliſh monarch who poſſeſſed the complete dominion of Ireland. For under him for the firſt time was the ſpirit of reſiſtance to the Engliſh power broken down, and the Engliſh laws univerſally acknowledged.

" Iriſh to inſurrections. Sullivan himſelf confeſſes (although it was his buſineſs to repreſent " the religious zeal of his countrymen in the moſt advantageous point of view) that a conſiderable " party among this clergy, recommended a dutiful ſubmiſſion to government, and oppoſed the " practices of their more intemperate brethren."

* No one can have fairly attended to the workings of human nature upon a multitude embarked in a deſperate cauſe, who will not admit, that in proportion to the eagerneſs with which the cauſe is adopted, ſo are all means of aid, countenance, and ſupport reſorted to. O'Nial, at the beginning of his inſurrection, had entered into the war under a full conviction and repeated aſſurances of receiving ſuccours from the Pope, and the King of Spain; and he continued conſtantly to importune both theſe powers for aſſiſtance. He particularly urged the Roman pontiff to countenance his cauſe, and by ſome public act to ſettle the minds of the Catholics of Ireland upon the unlawfulneſs of ſubmitting to Elizabeth, who ſtill remained ſubject to the excommunication pronounced againſt her by Pius V. Tyrone entreated his holineſs to ſend over a nuncio to Ireland, whoſe preſence might confirm the wavering, overawe the timid, and impoſe upon all. Clement the VIIIth, however, was more ſparing of his treaſure and ſubjects, than of his words. He accordingly wrote a public *breve* from Rome on the 6th of April, 1600, addreſſed to the whole Iriſh nation; a copy of which is to be ſeen in the Appendix, No. XII. Imprudent as ſuch interference ever muſt be from the perſon who ought to be the arch-miniſter of peace and harmony, ſtill muſt it be recollected, that on this occaſion the moſt earneſt importunities were employed to bring forward the ſupreme pontiff to this interference.

† Vide Lord Clare's ſpeech, p. 10.

Ere we enter upon another reign, it will be but candor to enable the impartial reader to ſee more fully the grounds and reaſons why the Iriſh roſe againſt Elizabeth, and ſo obſtinately perſiſted in their rebellion. Many of theſe are collected together in a very ſtrong and ſenſible Memorial ſubmitted to the queen, by Captain Thomas Lee, a good officer and ſtaunch proteſtant, in the year 1594. Several of the facts he was eye witneſs to; others he vouches for the truth of. This is preſerved in manuſcript in Trinity College, Dublin: ſome few extracts of which are to be ſeen in Appendix, No. XII. The whole is very long.

CHAP-

CHAPTER III.

THE REIGN OF JAMES THE FIRST.

THE acceſſion of the houſe of Stuart to the throne of England, and conſequently to that of Ireland, forms a very notable æra in the modern hiſtory of that country. The conduct of the Iriſh to this family, and their treatment of them in return, furniſhes a moſt melancholy illuſtration of that deteſtable policy of the Stuarts, which baſely laviſhed that favor upon their enemy, which was the rightful perquiſite of their faithful friend. True it is, that King James was the firſt monarch that extended the legiſlative as well as the juridical power beyond the Pale. It was the intereſt of the crown to have the whole kingdom in effective ſubjection to the law of England; it was the intereſt of the kingdom to be no longer ſubjected to ſeveral chieftains, who were inceſſantly at war with each other, or with the crown of England. Ireland was ſo reduced by the ſword, famine, and deſolation, that ſhe abandoned all thoughts of that liberty and independance, which was only to be purchaſed by a continuance of ſuch calamities. England revolted at the idea of retaining the ſovereignty of a kingdom by ſo profuſe a drain of blood and treaſure, which her reſources were inadequate any longer to ſupply.* James's firſt care therefore was to ingratiate himſelf with the Iriſh. Tyrone and Roderick O'Donnel, who in the late commotions had been very active againſt the government, accompanied Mountjoy to the

* Morriſon (p. 197) ſays, that the queen's charge for Ireland, from the 1ſt of April, 1600, to the 29th of March, 1602, was 283,673*l.* 19*s.* 4½*d.* And Robertſon, in his Hiſtory of Scotland, tells us, that "it was part of James's policy, in order to pave the way to his ſucceſſion, to waſte "the vigor of the ſtate of England, by ſome inſenſible, yet powerful means: he had his agents in "Ireland, fomenting Tyrone's war (the Scots daily carrying munition to the rebels) in Ulſter; "ſo that the Queen was driven almoſt to an incredible expence in carrying it on, and her ene-"mies ſtill encouraged by James's ſecret aſſiſtance and promiſes." Of this, Elizabeth complained to James in a letter, in 1599, remonſtrating with him upon the impolicy of abetting what ſhe termed the dangerous party, and failing his own *(Saund. King James)*. No one therefore could be more alive to the dangers of the Iriſh perſiſting in rebellion than King James.

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court of King James, where they were moſt graciouſly received: the former was confirmed in all his lands and honors, the latter was created Earl of Tyrconnel. It is evident, that James, on his firſt acceſſion to the throne, not only permitted, but encouraged reports to be circulated that he ſhould be favourable to the Catholic cauſe. Theſe reports were naturally magnified by the impetuoſity and enthuſiaſm of the Iriſh; and it was currently believed by a large portion of the nation, that the king himſelf was of that perſuaſion.* Mr. Oſburne, indeed, ſays, "it is certain, that the promiſe King "James made to the Roman Catholics, was regiſtered, and amounted ſo "high at leaſt as a toleration of their religion." In the warmth of theſe hopes and expectations, they no longer conſidered it neceſſary to confine their religious worſhip to privacy: in many parts of Leinſter, and more particularly of Munſter, they openly performed the divine ſervice and other religious ceremonies, in the full external form of the Roman ritual. † "Diſ-"daining to confine their devotions any longer to privacy and retirement, "they ejected the reformed miniſters from their churches; they ſeized thoſe "religious houſes which had been converted to civil uſes; they erected "their croſſes; they celebrated their maſſes, pompouſly and publicly, and "their eccleſiaſtics were ſeen marching in proceſſion, cloathed in the habits "of their reſpective orders." When the lord deputy remonſtrated with them upon this daring violation and defiance of the law, we are informed by the ſame author, that they coolly and determinedly anſwered, "that they only "now exerciſed publickly, that which before they had been ſuffered to "exerciſe privately; and as their public prayers gave teſtimony of their "faithful hearts to the king, ſo they were tied to be no leſs careful to

* It is reported of James, that he ſent a letter, under his own hand and ſeal, to Pope Clement the VIIIth, aſſuring his holineſs that it was his majeſty's intention to become a Roman Catholic whenever he ſhould aſcend the Engliſh throne. In fact, James objected not to any tenets of the Roman Catholic faith; but only to the abuſive encroachments of the ſpiritual over the civil power: for he ſaid, in his premonition (James's Works, ed. 1616, p. 306.): "For myſelf (if that were "yet the queſtion) I would with all my heart give my conſent, that the Biſhop of Rome ſhould "have the firſt ſeate. I being a weſtern King would goe with the patriarch of the Weſt. And "for his temporall principalitie over the ſignory of Rome, I doe not quarrell it neither: let him in "God his name be *primus epiſcoporum inter omnes epiſcopos et princeps epiſcoporum*: ſo it be no "otherwiſe, but as Peter was, *princeps apoſtolorum*."

† 2 Lel. p. 413, after Moryſon, 2 vol. p. 333.

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" manifeſt their duties to God, in which they never would be diſſembling " temporizers."

Mountjoy marched an armed force into Munſter, in order to check this open defiance of the law. At Waterford he found the town gates ſhut againſt him: the citizens pleaded, that by a charter of King John they were exempted from quartering ſoldiers; but Mountjoy inſtantly replied, that with the ſword of King James he would cut to pieces the charter of King John; level their city with the ground, and ſtrew ſalt upon its ruins. The menace was effectual: Mountjoy entered: the citizens were terrified into ſubmiſſion. From this conduct of the deputy, the other cities of Munſter, which had declared for the free and public exerciſe of the Roman Catholic religion were intimidated to a like compliance with the laws.* The Engliſh hiſtorians charge ſeveral of theſe cities with refuſing to proclaim King James, as an heretical prince; alledging that their conſciences would not

* It would not be candid to charge theſe men with ſo many open and deliberate acts of treaſon, for thus publickly exerciſing their religion. We have before obſerved, that the acts of Elizabeth, as well as the other acts of the Pale parliament were not obeyed twenty miles from Dublin: and even within the Pale, the penal laws of Elizabeth had not been executed for the laſt forty years. All the Iriſh annaliſts affirm, that the Statute of Uniformity (2 Eliz.) was ſurreptitiouſly obtained by the art of Stanyhurſt, the then ſpeaker; who, at an unuſual hour and on an unexpected day, procured the bill to be paſſed by the friends to reform, in the abſence of thoſe who were expected to have oppoſed it. They ſoon after proteſted againſt the act of this ſmuggled convention: and the Lord Lieutenant aſſured them, with oaths and proteſtations, that the penalties of that act ſhould never be inflicted, which they believing, ſuffered it to remain without any further oppoſition. In ſupport of the probability of this circumſtance, was the ſubſequent *fact, that this law* was ſeldom, if ever executed, during the remainder of Queen Elizabeth's reign, viz. for more than forty years; that is, until all or moſt of thoſe members were, probably, dead, to whom the promiſe had been given. (*Vide Analect. Sacr. p.* 431.) Other cauſes may, with great plauſibility, be aſſigned for the non-execution of the penal laws, during the reign of Elizabeth, in Ireland; whilſt hundreds were put to death, and thouſands ſuffered in their perſons and fortunes under ſimilar laws in England. Thoſe within the Pale were equally tenacious of their ancient faith, as thoſe without it. The queen's army was full of native Iriſh, all or moſt of whom then were Catholic. And *Moryſon* (p. 120) aſſerts, that one half of that gallant army under Lord Mountjoy, which ſo ſucceſsfully attacked, and at laſt entirely defeated Tyrone, was Iriſh: nor did their having leſs pay than the Engliſh, or their being expoſed to endure the brunt of every action, leſſen their zeal or activity in the ſervice. The long period of warfare during Elizabeth's reign, and the fear of weakening her army by eſtranging the affections of the Catholics, who were actually engaged in her ſervice, muſt have diſpoſed Elizabeth to diſcountenance and check, as far as ſhe could, the execution of that ſevere code of penal laws againſt the Catholics.

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permit them to ſubmit to a prince, who impugned the Catholic faith. The Iriſh hiſtorians attribute the delay of ſome days in proclaiming the new monarch to the extraordinary preparations for doing it with unuſual ſplendor, under the flattering deluſion of his profeſſing their own religion.

Although by the ſuppreſſion of the late rebellion the minds of the people were broken and prepared for obedience, yet it was conceived that the peace of the nation could not be firmly ſettled, till their minds were quieted, and their perſons and property ſecured from the effects of the law, which moſt of them had incurred in ſome way or other during the general confuſion. For this purpoſe, an act of ſtate, called *An Act of Oblivion and Indemnity*, was publiſhed by proclamation under the great ſeal, by which all offences againſt the crown, and all particular treſpaſſes between ſubject and ſubject, were, to all ſuch as would come in to the juſtices of aſſize by a certain day and claim the benefit of that act, pardoned, remitted, and utterly extinguiſhed, never to be revived or called in queſtion. And by the ſame proclamation, all the Iriſhry who had hitherto received no defence or protection from the crown, having been entirely ſubjected to their reſpective chieftains, were admitted into his majeſty's immediate protection. "This," ſays Sir John Davies,* "bred ſuch comfort and ſecurity in the "hearts of all men, as thereupon enſued the calmeſt and moſt univerſal peace "that ever was ſeen in Ireland." So true has it at all times been, that mildneſs and liberality towards the Iriſh have ever been requited with their ſubmiſſiveneſs, fidelity, and attachment. † King James, in order more effectually

* Diſc. p. 262.

† In anſwer to many ſevere and unjuſt reflections formerly and recently made upon the lawleſs ferocity and intractability of the Iriſh, I ſhall cite the authority of Sir John Davis, who certainly had the faireſt opportunity of knowing them, and cannot be ſuſpected of partiality, as holding a high official ſituation under a monarch little diſpoſed to favor them from inclination. (Diſc. p. 267.) "Againe theſe circuits of juſtice did (upon the ende of the warre) more terrifie the looſe and idle "perſonnes then the execution of the martial law, though it were more quick and ſuddaine: and "in a ſhort time after did ſo cleere the kingdome of theeves and other capitall offenders, as I dare "affirme, that for the ſpace of five years laſt paſt, there have not bin founde ſo manie malefactors "worthy of death in all the ſix circuits of this realme (which is now divided into thirty-two ſhires "at large), as in one circuit of ſix ſhires, namely the weſtern circuit in England. For the troth "is, that in time of peace the Iriſh are more fearful to offend the law, then the Engliſh or any "other nation whatſoever." (And p. 283.) "In which condition of ſubjectes, they will gladly "continue without defection or adhering to any other *lord* or *king*, as long as they may be *pro-*

effectually to ſecure the full dominion both of the Iriſh and their property, publiſhed a proclamation, which is uſually called the Commiſſion of Grace, for ſecuring the Subjects of Ireland againſt all claims of the Crown. The chief governor was thereby empowered to accept the ſurrenders of thoſe Iriſh lords, who ſtill held their eſtates or poſſeſſions by the old tenures of *Taneſtry and Gavelkind*, and to regrant them in fee ſimple according to the Engliſh law: thus converting the eſtates for life of the chieftains into eſtates in fee ſimple. For this there were two obvious reaſons of ſtate policy: the firſt was, that in caſe of a forfeiture the whole would become veſted in the crown by the attainder of the forfeiting perſon; whereas if by the old tenure of Taneſtry they remained tenants for life, the eſtates could only in ſuch caſes be forfeited to the crown for the life of the forfeiting perſon, and would be ſaved to all remainder men, which by the old Brehon tenure were in fact the whole ſept. The ſecond reaſon was, that by veſting the fee ſimple in the chief, which by the courſe of the Engliſh law made it deſcendible to his eldeſt ſon or heir at law, it excluded the ſept from their reverſionary diſtributive rights of Gavelkind upon the death of the tenant for life, and thus detached the ſepts from that common bond of intereſt and union with their chief, which gave them firmneſs, conſiſtency, and conſequence, and neceſſarily threw them thus disjointed more immediately under the power of the ſovereign, by leaving one only freeholder or tenant to the crown in each ſept. The new grants to the lords were limited to the lands in their actual poſſeſſion. And thoſe lands, which any of his followers held on any precarious Iriſh tenures of the chief, were confirmed to the meſne tenant alſo in fee, upon paying to the lord a certain annual rent equivalent to the lord's beneficial intereſt in the ſervices or tenure of his tenant. Thus was the whole landed intereſt of Ireland new modelled; and the example of theſe new patentees of the crown was followed by many trading towns and corporations throughout the kingdom: they ſurrendered their old, and accepted new charters from the crown,

" *tected and juſtly governed* without *oppreſſion* on the one ſide, or *impunity* on the other. For " there is no nation of people under the ſunne, that doth love equal and indifferent juſtice " better than the Iriſh: or will reſt better ſatisfied with the execution thereof, though it be " againſt themſelves; ſo as they may have the benefit and protection of the law, when upon juſt " cauſes they do deſire it."

with

with ſuch regulations and privileges as were more congenial with the policy and views of the court.

" It was not without ſome reaſon," ſays Leland,* " that the numerous " body of Catholics in Ireland preſumed on the favor of the new king, " and his partiality to their communion. They had frequent opportunities " by thoſe emiſſaries of Rome, who were continually pouring into their " country, to be informed of his tranſactions with the pontiff, while king of " Scots, and of the expectations conceived of his converſion. The ſenti- " ments which he expreſſed with reſpect to popery to his firſt parliament, " were but a repetition of thoſe opinions which he had avowed on other " occaſions; and every expreſſion of tenderneſs to what he called the mother " church, and every rumour of his ſecret intentions were induſtriouſly propa- " gated and magnified to a credulous people, removed at a great diſtance " from authentic information." James now felt himſelf firmly ſeated on the throne of Ireland. In his religious principles he was neither a Proteſtant nor a Catholic: he diſliked and dreaded the Puritans. He always cheriſhed a filial reverence and affection for his mother; and retained an indelible ſenſe of, though he wanted firmneſs to avenge the injuries and indignities ſhe had ſuffered. Inflated with conceit and vanity, this weak prince had blindly mounted himſelf upon the baſeleſs pinnacle of overſtretched prerogative, and whilſt he indulged in this viſionary ſecurity, he permitted himſelf to be carried down with every ſtream of flattery, fear, or menace, as they ſucceſſively flowed in upon him. As a Stuart he was ever ready to ſacrifice his friend to the fear of his enemy. At this time the Puritan party had acquired, both in the church and ſtate† of Ireland, an eminent aſcendancy; and

* 2 Leland, p. 420.

Geoghegan in his hiſtory (p. 422) ſays, that it is notorious, that notwithſtanding the ſeverity of the laws made in Ireland againſt the Roman Catholic religion during the reigns of Henry VIII. Edward VI. Elizabeth, and James I. not ſixty of the Iriſh embraced the Proteſtant religion, though Ireland then contained more than two millions of ſouls.

† Lord Deputy Chicheſter, who was afterwards created Baron Belfaſt, had been the pupil of the famous Cartwright, who was ſo violent an oppoſer of the church eſtabliſhment, that in writing to Archbiſhop Whitgift he uſed theſe ſtrong expreſſions: " Certain of the things we (the Diſſenters) " ſtand upon are ſuch, that if every hair of our heads were a life, we ought to afford them for " the defence of them." And Sir George Paul, in the life of this archbiſhop (p. 47), gives us, by way of ſample, a part of the conſtant public prayer of this Cartwright before his ſermons: " Becauſe they (meaning the Biſhops), which ought to be pillars of the church, do band them- " ſelves

31127

and from this moment they were preparing to get up that eventful tragedy, which cloſed in the cataſtrophe of the throne, altars, and conſtitution of the Britiſh empire. Their firſt act was to expreſs their indignation at the relaxations, favor, and countenance ſhewn to the Catholics. The immediate effect of which was a formal publication or promulgation of the Statute of Conformity (2 Eliz.) exemplified under the great ſeal, under pretence that the printed copies of the act varied from the record, but in fact to give ſanction and publicity to an act, which was now intended to be rigorouſly executed, though it had for forty years been almoſt a dead letter. The King's Proclamation for the ſtrict obſervance of it was annexed to the Exemplification, and ſolemnly publiſhed throughout the nation.* This meaſure was peculiarly calculated to wound the Iriſh nation; and they were ſtill more ſorely aggrieved by the inſulting humiliation of certain commiſſions iſſued in conſequence of the proclamation, by which the Catholics of condition were appointed inquiſitors to watch and inform againſt thoſe of

" ſelves againſt Chriſt and his truth, therefore, O Lord, give us grace and power as one man to ſet " ourſelves againſt them." At this time the whole body of the reformed clergy in Ireland was Puritan; the moſt eminent of whom for learning was Uſher, then provoſt of Trinity College, Dublin, and afterwards archbiſhop of Armagh, who by his management and contrivance procured the whole doctrine of Calvin to be received as the public belief of the Church of Ireland, and ratified by Chicheſter in the king's name. Not only the famous Lambeth articles concerning predeſtination, grace, and juſtifying faith, ſent down as a ſtandard of doctrine to Cambridge, but immediately ſuppreſſed by Queen Elizabeth, and afterwards diſapproved and rejected by King James, when propoſed to him by Dr. Reynolds in the conference of Hampton Court, but alſo ſeveral particular fancies and notions of his own were incorporated, ſays Carte (Oſm. 1 vol. p. 73), into the articles of the Church of Ireland, and by his credit approved of in convocation, and afterwards confirmed by the Lord Deputy Chicheſter.

* The language of this proclamation ſtrongly proves the grounds which the Catholics had for rejoicing at the acceſſion of James I. from whom they expected protection, countenance and favor. It bears date the 4th of July, 1605. " Whereas his Majeſty was informed, that his ſubjects of " Ireland had been deceived by a falſe report, that his Majeſty was diſpoſed to allow them liberty " of conſcience and the free choice of a religion contrary to that which he had always profeſſed " himſelf; by which means it has happened, that many of his ſubjects of that kingdom had " firmly reſolved to remain conſtantly in that religion. Wherefore he declared to all his ſubjects " of Ireland, that he would not admit any ſuch liberty of conſcience as they were made to expect " by that report." He then proceeds to enjoin all and each of his ſubjects, for the time to come, to frequent their reſpective churches and chapels, and to comply minutely with all the requiſitions of the Act of Uniformity, &c. &c.

their

their own communion, who did not frequent the Proteſtant churches; by neglect of which, they were ſubjected to fine and impriſonment.† Leland obſerves, that this meaſure *inſtead of terrifying the delinquents enraged them.* The magiſtrates and chief citizens of Dublin were firſt called upon to renounce their religion. ‡ "Eighteen of the moſt eminent of the city were "ſummoned to the court of Caſtle Chamber, of whom nine of the chief "were cenſured, and ſix of the aldermen fined each 100*l.*; and the other "three 50*l.* apiece; they were all committed priſoners to the caſtle during "the pleaſure of the court, and it was ordered, that none of the citizens "ſhould bear office till they conformed. The week following the reſt "were cenſured in the ſame manner, except Alderman Archer, who con-"formed. Their fines were allotted to the repairs of ſuch churches as had "been damaged by the accidental blowing up of the magazine of gun-"powder in 1596, to the relieving poor ſcholars, and to other charitable "uſes." On this occaſion all the old families of the Pale took the alarm, and boldly remonſtrated againſt the ſeverity of theſe proceedings: they denied the legality of the ſentence by which theſe ſeverities were inflicted, and urged that even by the ſtatute of Elizabeth the crime of recuſancy had its puniſhment aſcertained, and that any extenſion of the penalty beyond the letter of the ſtatute, was illegal and unconſtitutional. Their remonſtrance was preſented to the council by an unuſual concourſe of thoſe who were intereſted in the event. The chief of the petitioners were inſtantly committed to gaol; and Sir Patrick Barnewall, their great agent, was, by the king's command, ſoon after ſent over to England in cuſtody, and there committed to the Tower of London.

Theſe proceedings naturally produced general rancour and diſtruſt: but the views of thoſe who had inſtituted them, would have been diſappointed, unleſs ſome advantages could be reaped from them. In proportion to the probability of ſome of the nobility's reſenting this harſh and unexpected treatment, were rumours of inſurrections and conſpiracies ſet afloat, eagerly taken up, and induſtriouſly magnified. When Chicheſter had, by his intemperate ſeverity, mounted up one party to the higheſt pitch of provocation, and worked up the other to an exceſs of credulity and alarm, an anonymous

† Anal. Sacr. p. 25.

‡ Harris's Hiſtory of Dublin, p. 323.

letter

letter was dropped in the privy council chamber, intimating a traiterous ſcheme of rebellion, formed by the Earls of Tyrone and Tyrconnel and other lords and gentlemen of the North, for ſeizing the Caſtle of Dublin, murdering the deputy, and raiſing a general revolt, with the aid of Spain: and all this in defence of the Catholic religion.* Certain it is, that Tyrone and Tyrconnel fled the country, and were, together with ſome other fugitives of inferior note, attainted of high treaſon. The conſequence was, the forfeiture of all their vaſt eſtates to the crown.† Theſe eſtates, which beſides ſome other that had been alſo forfeited to the crown by Sir Cahir O'Dogherty and ſeveral of his adherents, who afterwards actually were for about five months in rebellion, compriſed almoſt the whole ſix northern counties of Cavan, Fermanagh, Armagh, Derry, Tyrone, and Tyrconnel (now called

* At this diſtant period of time, the contradictory accounts of this inſurrection by cotemporary authors, together with a total failure of any proof of overt acts, leave little room to doubt about its actual exiſtence. Jones, biſhop of Meath, who had formerly been ſcout-maſter-general to Cromwell's army, has given this account of the anonymous letter, which Carleton, biſhop of Chicheſter, wholly omits, and he ſays he had his account from a report of the biſhop of Derry. The pretended letter is to be ſeen in the Appendix, No. XIII.

† Some hiſtorians attribute the flight of theſe noblemen to a conſciouſneſs of guilt, others to their perſuaſion that St. Lawrence would follow them up to conviction by the ſame treachery and perjury with which he had brought on their accuſation. Dr. Anderſon, in his Royal Genealogies, p. 786, dedicated to the Prince of Wales in 1736, ſays, "Artful Cecil employed one St. "Lawrence to entrap the Earls of Tyrone and Tyrconnel, the Lord Delvin, and other Iriſh chiefs "into a ſham plot, which had no evidence but his. But thoſe chiefs being baſely informed, that "witneſſes were to be hired againſt them, fooliſhly fled from Dublin, and ſo taking guilt upon "them, they were declared rebels, and ſix entire counties in Ulſter were at once forfeited to the "crown, *which was what their enemies wanted.*" That this St. Lawrence was a fit inſtrument for ſuch a deſign is clear, from what Cambden relates of him (Eliz. 741) viz. that he offered to murder Lord Gray de Wilton and Sir Thomas Gerald, to prevent their conveying reports of Eſſex to the queen; which bloody ſervice Lord Eſſex rejected with indignation. No hiſtory, whatever, mentions any ſymptoms of riſing in the North at this time. And the king immediately after publiſhed an overcautionary forced proclamation (quod vide in Appendix, No. XIV.), by which he pledged himſelf, thereafter to make it appear to the world as clear as the ſun by evident proof, that the only ground of theſe earls departure was their own knowledge and terror of guilt. Theſe proofs have never yet been produced. And the act of parliament (11, 12, and 13 Jac. c. iv.) by which the attainders were confirmed, makes no reference to them; but barely recites, that they with ſeveral others were attainted, as by ſundrie inquiſitions remaining of record may appear. This affected brevity was little congenial with the ſpirit and ſtile of the pedantic James; and widely diſſimilar from Elizabeth's act of attainder of O'Nial.

Donegal).

Donegal). From that period King James entered upon his favorite ſcheme of forming a plantation for the avowed purpoſe of excluding the old inhabitants, and introducing the new religion.* The lands were accordingly parcelled out amongſt the adventurers, who flocked thither from England and Scotland. The latter were the more numerous, and brought with them the principles and diſcipline of Preſbyterianiſm. This new ſettlement or colony was put under particular regulations, all calculated to ſupport and ſtrengthen the Proteſtant religion. The moſt opulent adventurers in this ſpeculation were the citizens of London:† they obtained a large tract of land on the

* Although the rebellion of Sir Cahir O'Dogherty were confined to the diſtrict of Inniſhowen and its environs, yet did James ever affect to conſider the whole Iriſh nation as rebels or rebelliouſly diſpoſed, as appears by his reference to the ſyſtem of his northern plantation in a ſpeech to the parliament, at Whitehall, in 1609: "As for Ireland, ye all well know how uncer- "tain my charges are ever there, that people being ſo eaſily ſtirred, partly through the barbarity "and want of civilitie, and partly through their corruption in religion, to break foorthe in re- "bellions. And I dare never ſuffer the ſame (i. e. the army) to be diminiſhed, till this plantation "take effect, which (no doubt) is the greateſt moate that ever came in the rebels eyes: and "it is to be looked for, if ever they will bee able to make anie ſtirre, they will preſſe at by all "meanes for the preventing and diſcouraging this plantation."

† Upon a very looſe ſurvey, theſe forfeited lands were computed to compriſe 511456 Iriſh acres, which were diſpoſed of as follows:

	Acres.
To the Londoners and other Undertakers	209800
The Biſhops Menſall Lands	003413
The Biſhops Termon and Erenacks	072780
The College of Dublin	005600
For Free Schools	002700
To Incumbents for Glebe	018000
The old Glebes	001208
To Deans and Prebends	001473
To Servitors and Natives	116330
The Impropriations and Abbey Lands	021552
The old Patentees and Forts	038214
To New Corporations	008887
Reſtored to M'Guire	005980
Reſtored to ſeveral Iriſh	001458

I have copied this account from Sir Richard Cox, to give ſome idea of the ſmall ſhare of the lands ſecured or regranted to the former poſſeſſors or even occupiers; and he particularly ſays, that in the book which was printed for the better direction of the ſettlers, it was ſpecially mentioned, *that they ſhould not ſuffer any labourer, that would not take the oath of ſupremacy, to dwell upon their land.*

lower part of the river Ban in the vicinity of Derry, which town they rebuilt and called *Londonderry*. Whatever advantages may have been reaped by the new ſettlers from this ſyſtem of colonizing an entire country, it is evident, that it muſt have produced the moſt deſperate and miſchievous effects upon the Iriſh. The forcible diſpoſſeſſion of a whole province could not fail to ſpread diſcontent, alarm and diſaffection amongſt thoſe who were, or at leaſt conſidered themſelves liable to be treated in like manner. The fugitive earls were generally reputed to be the victims of a ſham plot, againſt which there was no ſecurity, and of which there had hitherto appeared no proof. The profuſe grant of the whole territory of *Inniſhowen*, together with all the other lands of Sir Cahir O'Dogherty, to Sir Arthur Chicheſter the great adviſer and promoter of this plantation; the facility with which foreign grantees and their ſub-grantees acquired, and the imperious oppreſſion with which they managed their new poſſeſſions, with reference to the former inheritors and their tenants and occupiers of the ſoil, muſt, in the neceſſary courſe of nature, have more than eſtranged the affections of the greater part of the Iriſh nation from the ſovereign, who commanded his ſervants that adviſed planned and executed, and the individuals that enjoyed this new plantation.

If ever the Union of Great Britain with Ireland can be fairly viewed, it is when ſet off in contraſt againſt the conduct of the Engliſh government immediately after the uniting of the three crowns in one monarch. Inſtead of opening her arms to embrace and admit Ireland to an equal participation of all her own rights and privileges, ſhe diſpeoples one fourth of the kingdom, and doles out a large extent of the moſt ancient inheritances in Europe (or the univerſe), to ſtrangers, adventurers, and oppreſſors. Sir John Davies, from the flattering ſpirit of the day, and the then ſuppoſed duties of his official ſituation, rather complimented his ſovereign upon what he wiſhed, than what had been accompliſhed; for referring to the conduct of James at this period of his reign, he ſays, * "This bred ſuch comfort and

* There is no queſtion but that Sir John Davis has written with more truth and impartiality than any of his cotemporary authors. Some degree of partiality muſt, however, be allowed on matters in which he was probably conſulted: as muſt have been the caſe of this plantation. Sir Francis Bacon was alſo adviſed with; but his advice was not followed. It is obſervable, how artfully Sir John Davis, through his hiſtorical relations, avoids any mention of religion; well knowing how ſore the Iriſh were upon the ſubject, and what violent effects it produced in the convulſed politics of that kingdom.

"ſecurity

" ſecurity in the hearts of all men, as thereupon enſued the calmeſt and moſt " univerſal peace that ever was ſeen in Ireland." *Leland, however, upon the authority of Carte and Chicheſter's own letters, gives a widely different view of the internal ſtate and ſpirit of the Iriſh at this period.

In the confuſion of former times ſome lands poſſeſſed by traitors and ſtate delinquents had been concealed and detained from the crown. Adventurers were encouraged by the numerous donations of eſtates, and the eaſe with which affluent fortunes were obtained in Ireland: they ranſacked old records, they detected ſuch concealments, and were countenanced by the ſtate; they diſpoſſeſſed the old inhabitants, or obliged them to compound for their intruſion; they were veſted with portions of their lands, or otherwiſe rewarded. This was a ſource of many grievous abuſes (as was afterwards experienced), but as yet the penal laws enacted againſt recuſants was the principal ſubject of complaint. Whenever temporal and political conſequence and advantage are annexed to the profeſſion of any particular religious ſyſtem, it is ſcarcely poſſible, that a difference in religion ſhould not lead to perſonal diffidence, rancor, or envy. Much more ſo, when in a community the majority is on that account ſubjected to humiliation, penalties, and pains. The religious parties ran ſo high at this time in Ireland, that Leland truly ſaid, † " The reformed looked with abhorrence on the " partizans of idolatry, and the imps of Antichriſt; the Romaniſts with equal " rancour inveighed againſt hereſy and apoſtacy, the blind miniſters of Satan " and children of perdition."

To conſider James, ſays Hume,‡ in a more advantageous light, we muſt take a view of him as the legiſlator of Ireland. He frequently boaſts of the management of Ireland as his maſter-piece: and it will appear, adds this author, upon enquiry, that his vanity in this particular was not altogether without foundation. The political ſituation of Ireland at this juncture has ever been repreſented by our hiſtorians in a light ſo different from what it has been generally viewed by the Iriſh, that it will be proper to ſubmit to the reader the general leading facts, with as few obſervations upon them as are conſiſtent with the taſk I have undertaken.

* 2 Lel. p. 439, Carte Orm. Chich. ſaid letters, mst. Trin. Col. Dub.

† 2 Lel. p. 441.

‡ Hiſtorical Reign of that Monarch.

Twenty-ſeven years had elapſed ſince the laſt parliament, when James deemed it neceſſary to convene one. The grounds of this neceſſity, according to Leland, "were to ſupport the arrangement (the plantation of Ulſter) "lately made, to remove real grievances, to repreſs cauſeleſs diſcontents, "and to ſecure the adminiſtration againſt all attempts of turbulence and "diſaffection." The progreſs of the reformation in Ireland under James, although much more conſiderable than under Elizabeth, did not yet anſwer the views or wiſhes of government. The Lord Deputy Chicheſter had ſucceſsfully convinced the king of the neceſſity of eſtabliſhing a *Proteſtant aſcendancy* in parliament,* and pledged himſelf that, with a plenitude of power to make the previous arrangements, he would, in defiance of numbers, property, and influence in the country, ſecure a Proteſtant majority in both houſes.

From the circumſtances of the times, Proteſtants and Catholics were arrayed againſt each other, according to what in modern parliamentary language would be termed the *court and country party.* It was impoſſible, that the meaſures of government tending to ſecure ſuch parliamentary influence againſt the decided preponderancy and natural intereſt of the country party, could be kept ſecret from the nation at large. No ſooner, therefore, was the royal intention of convening a parliament publickly made known, than the Catholics took the alarm, that it was the deſign of government to force upon them ſome additional grievances, eſpecially as they had not vouchſafed, according to Poyning's law, to make any previous communication of the deſign of ſummoning the parliament, or of the laws intended to be enacted therein. Accordingly ſix of the principal lords of the Pale addreſſed a letter to the king, ſtrongly expreſſive of their apprehenſions, and plainly pointing out to him the conſequences which this rigorous ſyſtem of government

* Leland informs us (though without quoting any authority), that "the king had denounced "a curſe on himſelf and his poſterity, if ever he ſhould grant a toleration to the Romaniſts: and "had, on particular occaſions, inſtructed the Iriſh adminiſtation to adminiſter the oaths, and "execute the penal laws." 2 vol. p. 452. And we read (in *Anal. Sacr.*), that when Chicheſter had made a preſent of a fine horſe to his royal maſter, the king aſked if it were of Iriſh breed, and being anſwered in the affirmative, his majeſty ſwore aloud, that then certainly it muſt be a Papiſt; for that he believed all things produced in Ireland, even the very animals, were Papiſts. And Chicheſter himſelf *(An. Sacr.)* in a moment of irritation at failing in withdrawing ſome perſons of conſequence from their religion, exclaimed, that he believed the very air and ſoil of Ireland were infected with Popery.

towards

towards the nation at large, on account of their adheſion to their ancient faith would inevitably produce.* The ſtile of this letter was too free and independent for James's inflated notions of the royal prerogative.† He pronounced it to be a raſh and inſolent interference with his authority. The lord deputy continued to encreaſe the number of the new boroughs, for which court candidates were of courſe returned, until he had ſecured a majority of that party. Forty new boroughs were thus created, of which ſeveral were not incorporated, until the writs for ſummoning a parliament had already iſſued. Violent altercations attended the meeting of this parliament, not only upon the election of Sir John Davis for the ſpeaker of the Houſe of Commons, in oppoſition to Sir John Everard ("a recuſant," ſays Leland, "of reſpectable character, who had been a juſtice of the King's "Bench, and on reſigning this ſtation, rather than take the oaths, was in-"dulged with a penſion,") but alſo on account of the illegality of many of the returns of the court members, which the country party vehemently proteſted againſt. Two hundred and thirty-two members had been returned: ſix were abſent: of the remainder, one hundred and twenty-five were Proteſtants; and one hundred and one formed the recuſant party. The upper houſe conſiſted of ſixteen temporal barons, twenty-five Proteſtant prelates, five viſcounts, and four earls, of which a conſiderable number, ſays Leland, were friends to the adminiſtration.‡

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* See the letter from a copy of the Lambeth manuſcript. Appendix, No. XV.

† *In his ſpeech to parliament, 1609,* he told them, "I would wiſh you to be careful to avoide "three things in the matter of greevance. 1ſt, That you doe not meddle with the maine points of "governement, that is my craft, *tractent fabrilia fabri*; to meddle with that were to leſſon me." *James's Works, fo. ed. p. 537.*

‡ The majority of Proteſtant members returned to this parliament is very ſurprizing, conſidering how very few of the Iriſh had then given in to the Reformation. Gheoghegan aſſerts, that there were not ſixty down to the reign of James I. Lord Clare, in his ſpeech in the Iriſh Houſe of Lords, on his own motion for the Union (p. 13), has remarked, "that from the firſt introduction "of this Proteſtant colony by James I. the old diſtinctions of native Iriſh and degenerate Engliſh, "and Engliſh of blood, and Engliſh by birth, were loſt and forgotten: all rallied around the "banner of the Popiſh faith, and looked upon the new Proteſtant ſettlers as the common aggreſſor "and enemy: and it is a melancholy truth, that from that day all have clung to the Popiſh religion "as a common bond of union, and an hereditary pledge of animoſity to Britiſh ſettlers and the "Britiſh nation. What alternative then remained to the king for retaining this country under "the dominion of his crown? In the modern revolutionary phraſe, the phyſical conſequence of "the

The Catholic party were ſo diſguſted and provoked at the majority thus ſecured againſt them, that for a conſiderable time they ſeceded from parliament; and were only induced to reſume their ſeats by the aſſurances of the lord deputy, that no other bill ſhould for the preſent be propounded, than that for recognizing the king's title. This having been done, the parliament was prorogued, to give time for the violence of paſſion on both ſides to abate. In the mean while, the Catholic party with full confidence diſpatched their agents to lay their grievances at the feet of their ſovereign. The deputy alſo ſent his agents to counteract the efforts of the Catholics.* Two of the Catholic agents were, immediately on their arrival, committed priſoners; one to the Tower, the other to the Fleet: and James received the petition or remonſtrance of the remaining Catholic agents in a moſt ungracious manner; and in flagrant violation of the rights of the Iriſh parliament (if that were to be conſidered independent), referred the final determination of it to the Engliſh privy council. The reſult of this appeal to the ſovereign,

" the country was arrayed againſt the Engliſh colony and the Engliſh government. He was, " therefore, driven to the neceſſity of treating the old inhabitants as a conquered people, and " governing their country as an Engliſh province; or of fortifying his Proteſtant colony by in- " veſting them, excluſively, with the artificial power of a ſeparate government; which, on every " principle of ſelf-intereſt and ſelf-preſervation, they were bound to adminiſter in concert with " England. The executive departments were under the immediate control of the ordinary royal " prerogative; but it was in vain to hope that he could retain poſſeſſion of Ireland under a ſeparate " government, unleſs a majority of the Iriſh parliament ſtood well-affected to the Engliſh crown " and Engliſh nation: and to obtain that majority he reſorted to the exerciſe of a prerogative " which has always belonged to the Engliſh crown—by erecting new counties, and incorporating " ſome of the principal towns occupied by the new ſettlers, giving them the franchize of ſending " repreſentatives to the Iriſh parliament. And I repeat, without incurring the hazard of con- " tradiction, that Ireland never had any aſſembly which could be called a parliament, until the " reign of James I." If an earneſt of proſpective happineſs be to be expected from the union of the two kingdoms, nothing can ſo adequately depict it, as the contraſt of the conduct of King James I. againſt that of our preſent moſt gracious ſovereign. On one hand we behold a vain imperious monarch contemning, deriding, perſecuting, oppreſſing, and exterminating his Iriſh ſubjects: on the other, we ſee the father of his people cheriſhing, endearing, relaxing the ſeverity of the penal code, encouraging, embracing, and uniting with them in every bleſſing and advantage that the Britiſh conſtitution can impart.

* The Catholic agents were the Lords Gormanſtown and Fermoy, Sir James Gough, Huſſay, Lutterel, and Talbot. The lord deputy's were the Earl of Thomond, Sir John Denham, the chief juſtice of the King's Bench, and Sir Oliver St. John.

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was a moſt* diſgraceful diſmiſſal of the Catholic agents; a rejection of their demands; the impriſonment of Sir James Gough on his return to Ireland, for boaſting of the king's promiſe to grant redreſs, and the remuneration of Sir Arthur Chicheſter by the grant of thoſe princely domains, which his family poſſeſſes to this day. Chicheſter, thus confirmed in the royal favor, found little difficulty in paſſing every act, as it was propoſed, by means of the majority he had by theſe new means acquired in parliament; though he found it prudent, in the heat of the contending parties, to drop a bill for the total expulſion of the Catholic clergy, and other penal bills againſt the Catholics, which had been prepared, and were intended to have been brought forward. The paſſion which James indulged for plantations was an endleſs ſource of apprehenſion and ſuffering to the Iriſh. With a view to extend them to other parts of the kingdom, he appointed a Commiſſion of Enquiry, to ſcrutinize the titles and determine the rights of all the lands in Leinſter and the adjoining diſtricts. Such rapid progreſs did theſe commiſſioners of defective titles make in their miſſion, that in a *ſhort time*, †" James deemed himſelf entitled to make a diſtribution of 385000 " acres in thoſe countries." Theſe were apportioned to Engliſh ſettlers and to ſome few of the natives, under regulations nearly ſimilar to thoſe by which he had ſettled the colony in Ulſter. In executing this ſcheme, little regard was had to the plaineſt dictates of juſtice. Old obſolete claims were received even as far back as the reign of Hen. II.; and advantage was taken of the moſt trivial flaws and minute informalities. In Connaught, immenſe eſtates were declared forfeited to the crown, becauſe the recent grants made to the proprietors upon their ſurrenders of them to James, had been neglected to be inrolled by the clerks in chancery, although the new grantees had paid above 3000*l.* into their hands for the inrolments, and theſe clerks alone could make them. Perjury, fraud, and the moſt infamous acts of deceit were

*. Such contradictory accounts and repreſentations of James's conduct towards Ireland have been tranſmitted to us, that I muſt refer the reader, who wiſhes to form a candid opinion for himſelf, to the authentic documents, which are to be found in the Appendix, No. XVI. and XVII. being the remonſtrance of divers lords of the Pale to the king, concerning the parliament; and the king's ſpeech to the lords of the council before the Iriſh agents. One cannot paſs over this reception and diſmiſſion of the Iriſh agents by James, without reflecting upon the benignity with which the Catholic delegates were received at the court of St. James's, in 1790, and the large indulgences and favors they returned loaded with to their brethren in Ireland.

† 2 Lel. p. 461.

ſucceſsfully

ſucceſsfully practiſed by rapacious adventurers and informers: and Leland,* who gives an accurate detail of theſe enormities, refers to authentic "proofs of the moſt iniquitous practices of hardened cruelty, of vile per-"jury and ſcandalous ſubornation, employed to deſpoil the fair and "unoffending proprietor of his inheritance." Thus was every man's poſſeſſion precarious and doubtful; and to complete the meaſure of abuſe, the juries who refuſed to find a title in the crown were cenſured and fined in the caſtle chamber.

The remainder of James's reign was an uninterupted ſcene of vexatious oppreſſion of the recuſants, grievous extortions of the ſoldiery and their officers† upon the people, the execution of martial law in time of peace, the abuſive exactions of the clergy and the eccleſiaſtical courts, the unconſtitutional interference of the privy council and caſtle chamber in cauſes which ought to have been determined by common law, the invaſion of property in the different plantations, and extreme rigor in executing the penal laws, were the means by which James eſtranged the affections of his Iriſh ſubjects from the Engliſh government, reduced them to want and miſery, and conſequently prediſpoſed them to riſe againſt their oppreſſors, whenever the opportunity ſhould preſent itſelf of doing it with effect. A woeful legacy to his unfortunate ſucceſſor!

* 2 Lel. p. 470.

† Who, as Leland obſerves, were privy councellors, and men of great property and influence, too powerful to be complained of for any grievance ſuffered by their ſoldiers, and too deeply engaged in one common intereſt to call each other to account. P. 471.

CHAPTER IV.

THE REIGN OF CHARLES THE FIRST.

THE reign of Charles the Firſt fills up that period of the Iriſh hiſtory which ſupereminently abounds with falſity and exaggeration, tending to miſrepreſent and defame the Iriſh nation.* The quick ſenſibility of the national

* The elementary view which I have undertaken to give of the Iriſh affairs, as neceſſary to develope the remote as well as the proximate cauſes of our union, will admit of no hiſtorical detail of the different ſcenes of that eventful tragedy which diſgraced the Britiſh empire in the face of the univerſe. I attempt no more than to point out the different roads, which lead to the truth through a variety of croſſings and windings, that often have, and often (I fear) will, miſlead the traveller through the hiſtorcal maze of that unfortunate kingdom. Cotemporary, intermediate, and modern authors all ſeem to vie with each other in proteſting againſt the inaccuracy and infidelity of others, and vouching for their own impartiality, diligence, and veracity. Whatever I ſhall offer to my reader upon this part of the Iriſh hiſtory ſhall be drawn from one of three ſources, namely, public records, the words of the actors themſelves, or the avowal of profeſſed adverſaries. Of all Engliſh writers upon the civil wars of Ireland Dr. Warner is entitled to the moſt credit for impartial accuracy. He had better means and ſources than any of his predeceſſors, and has made a fairer uſe of them. His judgment upon the moſt reputable of his predeceſſors is curious and juſt; and an excellent warning to the ſtrayed traveller, who wiſhes to arrive at the temple of truth and concord. *(Pref. to his Hiſtory of the Rebellion.)* " The original Proteſtant " Iriſh writers of this period are *Sir John Temple*, and *Dr. Borlaſe*; the firſt, who was maſter of " the rolls and a privy councillor, has confined himſelf entirely to the maſſacre and rebellion in " the early part of it, and the ſenſe of what he ſuffered by the inſurrection, together with his at- " tachment to the miniſtry, led him to aggravate the crimes and cruelties of the Iriſh: the other " was the ſon of Sir John Borlaſe, one of the lords juſtices of that time, and ſeems to have been " an officer in the civil wars, who hath made great uſe of Temple's Hiſtory; and, as far as he " liked it, of Lord Clarendon's Vindication of the Marquis of Ormonde. If both theſe authors " are to be read with great ſuſpicion of partiality, as they certainly are, except in the copies of " original papers, and the facts, which tally with them, *Sir Richard Cox*, who has done little " more than tranſcribe the accounts which they have given, is entitled to no leſs merit, and yet " open to the ſame ſuſpicion. When he had no longer theſe to be his guide, the remainder of his " work is little more than an extract from the newſpapers and pamphlets of the time, and in no " part deſerves the name of a hiſtory."——" There are no original Engliſh hiſtorians that I know " of, who write any thing fully of this event in Ireland, beſides the Earl of Clarendon and Mr. " Carte;

national character was ſtrongly marked in the exceſs of their joy at his acceſſion. They looked up with confidence to the young monarch, at leaſt for a toleration of their religion: and at the beginning of his reign they were permitted to practiſe it with more publicity than they had been in the former. This mildneſs of government, new to the Iriſh, was but of ſhort duration. Leland obſerves, that at this time * " their religious worſhip was " once more celebrated with public ſolemnity, and with the full parade " of their oſtentatious ritual:" and he adds, " that even in the city of " Dublin, under the immediate notice of the ſtate, an academical body

" Carte: the former in his Hiſtory of the Rebellion and Civil War in England, and in a little piece " in the vindication of the Marquis of Ormonde, which in the late editions goes under the title, very " improperly, of the Hiſtory of the Rebellion and Civil War in Ireland. The noble hiſtorian's at- " tachment to the cauſe of Charles I. hath evidently given a bias to the whole of his great work: " and on the moſt critical part of the king's conduct with regard to Ireland, his commiſſion to the " Earl of Glamorgan, his lordſhip to our aſtoniſhment is entirely ſilent. Neither doth he enter much " into any tranſaction in that country, wherein the king was not perſonally concerned. *Mr.* " *Carte* treats profeſſedly of this whole rebellion, in his Life of the Duke of Ormonde, and is by " much the moſt copious and beſt writer upon it; but there are ſo many flagrant inſtances of " his partiality for the king, and of his prejudice againſt the Iriſh miniſters at the breaking out " of the Iriſh inſurrection, that he is never to be read, where the ill conduct of the firſt is palliated " or the other cenſured, without the utmoſt caution. In the buſineſs of Lord Glamorgan particu- " larly he is extremely culpable; and contrary to the evidence that was before him, throws all " the blame of that tranſaction from the king upon his lordſhip. It may be ſaid perhaps with " ſome propriety, that *Nalſon* and *Ruſhworth* are original Engliſh writers of this event: but the " hiſtorical part of either, which reaches but a little way, is only to throw ſome light on the " papers concerning Ireland, of which they give an uſeful, and for the moſt part a juſt collection. " The firſt is as partial in his narrative on the ſide of the king, as the other on the ſide of the " parliament: and they are both to be conſulted with great allowance to their party zeal. As to " all the writers of Engliſh hiſtory, who attempt to give any relation of this rebellion, having com- " piled from ſome or other of the materials afore mentioned, they have copied likewiſe their miſ- " takes and imperfections: hence they are ſo inaccurate, partial, and uninformed, that whoever " contents himſelf with the accounts that he meets with of it in any of our Hiſtories of England " *(not one excepted)*, may be ſaid to know little of it." This ſame author, ſpeaking, in the body of his hiſtory, of Mr. Hume's groſs infidelity in repreſenting the conduct of Charles I. towards his Iriſh ſubjects, ſays (p. 359), " To ſuch miſerable ſhifts are able men reduced, when they write " to pleaſe a party, or to ſupport a character without regard to truth! It is but very little that " Mr. Hume hath ſaid on this critical part of King Charles's reign; but unleſs he could have ſaid " ſomething much more to the purpoſe than he hath ſaid, he had better have taken the way Lord " Clarendon took, and have ſaid nothing at all."

* 3 Lel. p. 3.

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" was formed, and governed by an eccleſiaſtic of ſome note, for the education " of Popiſh youth." Scarcely, however, had Charles commenced his inauſpicious reign, than, fatally for himſelf and family, he launched into a career of inſincerity which precipitated his own ruin, and accumulated evils upon thoſe who were his real friends, and whom he was perſonally anxious to ſerve. His Iriſh Catholic ſubjects were the firſt unfortunate victims of this ungenerous, this ill-fated policy of the Stuarts. The Lord Deputy Faulkland is repreſented, by thoſe who ſpeak the moſt harſhly of the Iriſh, as a man of more rectitude than ability, indolent and gentle, courting rather than terrifying the obnoxious and prevailing party. The inſtructions ſent him from court were favorable to the Catholics, and he faithfully purſued them. But the Puritans highly reſented this conduct, and loudly complained that the Popiſh worſhip was ſtill maintained, and that the new ſeminary of the recuſants in Dublin was not ſuppreſſed.* The Catholics were more than prudently elated with this ſpecies of negative indulgence and precarious favor, and, in the overflowing of their gratitude, offered to keep in pay, at their own charge, a conſtant body of 5000 infantry and 500 horſe, for the ſervice of his majeſty. Faulkland, according to inſtructions, gave every encouragement to this ſeaſonable relief to the fiſcal difficulties of his ſovereign. The Proteſtants, however, jealous of the power that this would place either in the hands of the Catholics or the crown, availed them-

* Dr. Warner, in his preface has favoured us with ſome obſervations upon the conduct of Charles towards his Iriſh ſubjects, well worthy of the moſt ſerious reflection of every perſon who feels an intereſt in the welfare of the Britiſh empire (p. xvii). " It will be difficult perhaps to " find in any age, or in any nation, a hiſtory which abounds with ſcenes of more variety and " intrigue, or with events that are more intereſting, than are to be met with here. But of the " work itſelf, I will ſay no more than that it is full of ſuch enterpriſes as will afford an inſtructive " and a much unheeded leſſon to mankind. It will inſtruct *princes* to conſult the intereſt and " inclination of their ſubjects, and not to govern by illegal and deſpotic power. It will inſtruct the " *miniſters* of princes, that their own paſſions, faction, and ill humour will produce as much miſ- " chief to the public peace and ſecurity of their maſter, as the moſt open villainy. It will inſtruct " the *people* not to ſuffer and aſſiſt the folly, the frowardneſs, the pride and ambition of particular " perſons to govern the public underſtanding, and the venom of private intereſt to be mingled " with the public good. Theſe will appear to have been the means which Providence permitted " to infatuate a people ripe and prepared for their deſtruction: and by ſuffering the weak to " contribute to the ill deſigns of the wicked, and the wicked to be more wicked than they firſt " intended, ſuch a ſcene of horror and deſolation followed as is ſcarcely to be equalled in any " country."

ſelves of the fanatic ſpirit of the day, and in the genuine cant of Puritaniſm, rejected the offer as the ungodly price of idolatry and ſuperſtition.*

Faulkland, ſtill faithfully attentive to the inſtructions of his maſter, encreaſed the indignation of the Puritan party: they were loud in their complaints to the Engliſh cabinet, and Charles ſacrificed a faithful ſervant to the intrigues of his enemies. Faulkland was recalled, and the adminiſtration for the preſent entruſted to two lords juſtices, Viſcount Ely the chancellor, and the Earl of Cork, the lord high treaſurer of that kingdom. They, ſays Leland,† without conſulting the miniſtry of England, or waiting for any inſtructions from the king, fell at once with great ſeverity on the recuſants, and threatened all abſentees from the eſtabliſhed worſhip, with the penalties of the ſtatute enacted in the ſecond year of Elizabeth's reign. They were however ſoon informed, that this ſeverity was not acceptable to the king, nor deemed conſiſtent with his preſent intereſts in Ireland. The difficulties however, which Charles experienced at home, ſoon made him lend an eager ear to thoſe, who adviſed him that auſterity to the Papiſts, was the only ſure method of ſecuring ſupplies. He dropped his lenient tenderneſs for the conſciences of his Catholic ſubjects, and immediately the ſyſtem of terroriſm recommenced. The archbiſhop of the dioceſe, and the chief magiſtrate of the city, at the head of a file of muſqueteers, entered the Catholic chapel in Cook Street on St. Stephen's day, whilſt they were celebrating divine ſervice: they ſeiſed the prieſt in his veſtments at the altar, hewed down the crucifix,

* Uſher, at the head of the prevailing party of the clergy, ſubſcribed a declaration, which is to be ſeen App. No. XVIII. It was read before the ſtate in Chriſt Church, Dublin, by Downham, biſhop of Derry, upon whom it had ſo powerful an effect, that the offer was rejected with indignation: and was ſoon followed up with a proclamation, importing, that "the late intermiſſion of "legal proceedings againſt Popiſh pretended titular archbiſhops, biſhops, abbots, deans, vicars "general, jeſuits, friars, and others deriving their pretended authority from the See of Rome, in "contempt of his majeſty's royal power and authority, had bred ſuch an extravagant inſolence and "preſumption in them, that he was neceſſitated to charge and command them in his majeſty's "name, to forbear the exerciſe of their Popiſh rites and ceremonies." Thus did the public act of the government contravene the private wiſhes and inſtructions of the king, to the ſore grievance of one party, the irritation of the other, and the debaſement and weakening of the executive power. The proclamation, ſays Leland (p. 5) "was publiſhed and received without the common reſpect "due to an act of ſtate, nor did the deputy think himſelf warranted to proceed to any farther "ſeverity.

† 3 Lel. p. 7.

and

and carried off all the ſacred utenſils and ornaments. After the firſt ſhock occaſioned by this ſudden and unexpected act of violence was abated, ſeveral of the congregation purſued the aſſailants with ſtones and reſcued their clergyman. The repreſentation of this incident to the Engliſh council produced an immediate order, which was carried into effect, for ſeizing fifteen religious houſes to the king's uſe, and aſſigning the newly eſtabliſhed ſeminary to the univerſity of Dublin. The moſt rigorous execution of the penal laws was extended to every part of the kingdom:* and the king gave into the advice of the lords juſtices, that the army ſhould be provided for out of the weekly fines to be impoſed upon the Catholics, for abſenting themſelves from the eſtabliſhed worſhip.† "We approve well," ſaid the king in his anſwer, "that this buſineſs as you deſire may be preſently put into ſuch "a ſtate, as that the money, which ſhall by that means grow due unto us "may be ready to be levied by Michaelmas next. And as the beſt and "ſureſt way to bring it to effect, we do hereby authorize and require you "forthwith to aſſemble our council there, and with their privity to cauſe "preſentments to be duly made through the whole kingdom according to "the law you mention doth appoint." ‡As long as the lords juſtices continued

* The Engliſh council on this occaſion acquainted the lords juſtices, "that his majeſty in perſon "was pleaſed openly and in a moſt gracious manner, to approve and commend their ability "and good ſervice: whereby they might be ſufficiently encouraged to go on with the like "reſolution and moderation, till the work was fully done as well in the city as in other places of the "kingdom, leaving to their diſcretion when and where to carry a ſoft or harder hand." *Scrin. Sacr.*

† Lord Strafford's State Letters Vol. II. fol. 91.

‡ When Lord Wentworth (afterwards Earl of Strafford) was appointed deputy, he cauſed theſe preſentments to be diſcontinued "Not, ſays he (State Letters Vol. I. p. 75.) but that every good "Engliſhman ought as well in reaſon of ſtate as conſcience, to deſire the kingdom were well "reduced to a conformity in religion: but becauſe it is a great buſineſs, that has many roots lying "deep and far within the ground, which ſhould be firſt thoroughly opened before we judge what "height it may ſhoot up to, when it ſhall feel itſelf once ſtruck at, to be looſened and pulled up." There had been much intrigue to commute the voluntary contribution for the ſupport of the army, which was paid in common by the Proteſtants and Catholics, though the latter paid above nine parts in ten, for this penal fund, which was vainly repreſented by the lords juſtices and ſeveral biſhops as a more certain and productive ſource of revenue. Wentworth, however, was of a different opinion: he reaſoned upon the ſubject as a politician not as a philanthrophiſt. (Ib. p. 76.) "He was "therefore for continuing the contribution as it then ſtood, becauſe he thought it more ſafe, "conſidering the inequality of numbers, and the ill proviſion of the army, to take the contribution "againſt

tinued in the adminiſtration of Ireland, ſuch preſentments were made with extreme rigor, to the great grievance of the recuſants, and comparatively ſmall emolument of the crown: heavy fines alſo were impoſed upon ſuch juries as refuſed to find them.

If the Catholics felt themſelves aggrieved by the ſeverity of the late lords juſtices, much more reaſon had they to complain of the conduct of Lord Wentworth, who ſucceeded them. This nobleman, better known under his ſuperior title of the Earl of Strafford, continued lord deputy from the year 1633, to the year 1641. As the cloſe of his adminiſtration was the opening of what is uſually termed the *great Iriſh rebellion*, it becomes the duty of the hiſtorian to ſcrutinize it with rigorous impartiality, in order to determine whether an event ſo cloſely preceded by a ſeven years adminiſtration of extraordinary auſterity, were not fomented, accelerated, aggravated, or occaſioned by that ſyſtem of ſeverity and terroriſm. Upon this more than upon any other point of modern Iriſh hiſtory, are the Engliſh and Iriſh hiſtorians at open variance. The former from Temple, Borlaſe, Cox, Clarendon, and Carte, down to Leland, and Warner, all repreſent the reigns of the two firſt Stuarts, as the halcyon days of peace, felicity, and proſperity to Ireland.* The latter on the contrary, from Lord Caſtlehaven, the biſhop of

" againſt the will of the Proteſtants, than to raiſe the twelve-pence a Sunday againſt the liking of " the recuſants." But his principal reaſon for not depending on the execution of this ſtatute for raiſing this ſupply, was the uncertainty of its ſufficiency, for (ib. 76) " if it took that good effect " for which it was intended, which was to bring the Iriſh to a conformity in religion, it would " come to nothing, and ſo would prove a covering narrower than a man could wrap himſelf in." Wentworth, who had by quitting the popular party which he had originally eſpouſed, gained a ſtrong aſcendancy over the king's judgement, with the help of Laud, brought over his majeſty and the biſhops to his way of thinking.

* Lord Clarendon in his vindication of Ormonde, ſays, " it is not the biſhop's (i. e. titular biſhop " of Ferns) calling the ten years war in Ireland, *ſanctum juſtiſſimum bellum*, or his ſaying they have " undergone the moſt conſtant and ſevere perſecution, for the profeſſion of the Catholic Religion " for the ſpace of thirteen years, that can make the happy and bleſſed condition forgotten, which " that nation was poſſeſſed of before their own unſkilful rage and fury brought this war upon " them." He ſays moreover, that the whole nation enjoyed an undiſturbed exerciſe of their religion; and even in Dublin, (where the ſeat of the king's chief governor was) they went as publicly to their devotions, as he went to his: and though there were ſome laws ſtill in force againſt them, " yet the edge of thoſe laws was ſo totally rebated by the clemency and compaſſion of " the king, that no man could ſay that he had ſuffered prejudice or diſturbance in or for his " religion."

of Ferns, Peter Walſh, down to Gheoghegan, O'Connor, and Currie, conſider that rebellion, mainly occaſioned and brought forward by the intemperate, cruel, and unconſtitutional adminiſtration of the Earl of Strafford. In this wide difference of opinion, I ſhall barely refer to the leading circumſtances of his adminiſtration, leaving the inference to the unbiaſſed reflection of the impartial reader. Leland, informs us, that few characters have been more the ſubject both of cenſure and panegyric, than that of the Lord Wentworth: that his enemies, and his admirers, have carefully inſpected it: that his deſertion of the popular cauſe in England, had rendered him odious to a party powerful, implacable, ſubtle, and indefatigable: that their rancour purſued him into Ireland, watched his conduct ſtrictly, and interpreted his actions ſeverely. He aſſumed his government, he ſays, with a mind and affection fixed on one ſingle object, the immediate intereſt of his royal maſter: and happily the intereſt of the crown obliged him to ſtudy the improvement of the realm. He had heard of the turbulence and diſorder of the country; and hence inferred the neceſſity of that ſevere and rigorous* adminiſtration, which ſuited his own auſterity and arrogance. Ireland he conſidered as a conquered kingdom, in the ſtricteſt ſenſe. He avowed and defended the opinion, under all the terrors of impeachment, when it was charged againſt him as a traiterous principle: and from the crude conception, he deduced a conſequence at once ridiculous and deteſtible; that the ſubjects of that country had without diſtinction forfeited the rights of men and citizens: and for whatever they were permitted to enjoy, depended ſolely upon the royal grace. Such men he was naturally diſpoſed to treat with contempt, and even the moſt diſtinguiſhed of the Iriſh ſubjects, were of little conſequence in the eye of an imperious nobleman uſed to the magnificence of the Engliſh court, diſtinguiſhed even in the crowd of exalted perſonages, and known to enjoy an extraordinary portion of the

" religion." And " in this bleſſed condition of peace and ſecurity, the *Engliſh* and *Iriſh*, the " Proteſtant and *Roman Catholics*, lived mingled together in all provinces of the kingdom, quietly " trafficking with one another, during the whole happy reign of King James: and from his death " every degree of their happineſs was encreaſed and improved under the government of his late " majeſty."

* Dr. Warner thinks that the abſence of the Earl of Strafford was one of the great occaſions of the rebellion, (p. 17.) " For the Earl of Strafford was too brave, too vigilant, and too high ſpirited " a ruler not to have cruſhed ſuch an inſurrection in its birth."

royal

royal favour. He aſſumed the reins of government with lively prepoſſeſſions and paſſions violently enflamed.

Wentworth, began to play off his inſincerity upon the Catholics of Ireland, (they were then in the proportion of one hundred to one Proteſtant) even before he had taken poſſeſſion of his government.* It has been before remarked, that for political reaſons, he preferred any other mode of taxation to that of raiſing the neceſſary levies upon the conſciences of the natives. In order therefore, to enſure to his royal maſter the continuance of the voluntary contribution† for one year longer, he tells us‡ that in order to make a trial of the temper of the Catholics (who had actually paid above two thirds of the former contribution) with regard to the continuance of it for a longer time, " he ſent a private meſſenger of his own to Ireland, who " was himſelf a Catholic, with inſtructions to invite them to make an offer " to his majeſty, of half a ſubſidy to be paid the next year; upon condition " that all further proſecution upon the ſtatute of the 2d Elizabeth, might " be reſpited till his coming over. The inſtrument I employed, (ſays he) " knows no other, but that the reſolution of the ſtate here is ſet upon that " courſe, and that I do this privately, in favour and well wiſhing to divert " the preſent ſtorm, which elſe would fall heavy upon them all, being framed " and executed by the Earl of Corke, which makes the man labour in good

* For this we are able to vouch his own authority.

† In 1628, Lord Faulkland adviſed the Catholics to ſend agents over to King Charles and make him a perſonal tender of their ſervices, who, ſays Leland, (2 v. p. 483) " in deſpite of public " clamor and ſuſpicion, found a very favourable reception for their overtures. They made the " tempting offer of a voluntary contribution of 120000l. to be paid in three years, by way of three " ſubſidies, each amounting to 40000l. and each to be divided into equal quarterly payments. " The graces which they ſolicited in conſequence of this extraordinary exertion of loyalty, were in " ſome inſtances indeed favourable to recuſants, but ſuch as in general were evidently reaſonable " and equitable, calculated for the redreſs of thoſe grievances, which perſons of all denominations " had experienced, and tending to the peace and proſperity of the whole nation. The bounty " was accepted, the graces conferred, and tranſmitted by way of inſtruction to the lord deputy and " council." The moſt important of theſe graces, which conſiſted of fifty one articles, (to be ſeen in Cox and Ruſhw.) were thoſe, by which the ſubjects were ſecured in their poſſeſſions by limitting the king's title to ſixty years, the recuſants were admitted to ſue their liveries, ouſter le mains, and other grants out of the court of wards, Catholic barriſters were permitted to plead for five years without the oath of ſupremacy. Theſe being granted by proclamation only, the king pledged his word they ſhould be confirmed by parliament.

‡ St. Let. 1 vol. p. 212.

" earneſt,

" earneſt, taking it to be a cauſe *pro aris & focis.*" Lord Antrim, who was then one of the principal leaders of the Catholic party, on behalf of himſelf and other Catholics, wrote to Lord Wentworth, that they were willing to continue the contribution to his majeſty as it then was, until his lordſhip's arrival in Ireland. The arrogance and haughtineſs of the deputy, manifeſted themſelves even to his own party on his firſt landing: he omitted to ſummon ſeveral members of the council to attend, and on the firſt day, after he had kept them waiting for above two hours, he ſlightingly and without any apology, mentioned the ſubject upon which he had convened them; and when on the following day they ſhewed ſymptoms of diſpleaſure at the continuance of the contribution, he ſupercilioufly aſſured them in plain terms, that no neceſſity induced him to take them in council on that buſineſs: for that rather than fail in ſo neceſſary a duty to his maſter, he would undertake upon the peril of his head, he would make the king's army able to ſubſiſt and provide for themſelves amongſt them, without their help.* The menace had its effect: and he procured a written promiſe for the next year's contribution from the Proteſtants, as it had that year proceeded from the Catholics, who ought not, ſaid he tauntingly, to be permitted to be more forward than the Proteſtants in their chearfulneſs and readineſs to ſerve the king.† His propoſal ‡to call a parliament was eagerly received, which they conſidered would ſuperſede the neceſſity of any further contribution, ſo horribly afraid, ſays his lordſhip, were they that the contribution money would be ſet as an annual charge upon their inheritances, that they would redeem it at any rate.

It has been before remarked, that the influence of government was employed in the former reign, to eſtabliſh a Proteſtant aſcendancy by ſecuring a Proteſtant majority in parliament. We muſt now judge of the parliamentary conduct of the new lord deputy, by his own account of it to Secretary Coke.§ " I have this day, ſays he, ſent out writs of ſummons, and " with them about 100 letters in recommendation of ſuch, as upon advice " taken with this council, were held perſons ableſt and beſt for his majeſty's

* *i. e.* by free quarters. The Iriſh had frequently complained of the abuſes of the military, which will appear from a report made in the preceding reign, by the commiſſioners appointed by James to enquire into grievances, App. No. XIX. Protection againſt this abuſe was one of the graces recently purchaſed.

† St. Let. p. 98. ‡ Ib. p. 99. § St. Let. 1 vol. p. 259.

" ſervice, having both in that and all the reſt, uſed the utmoſt of my power " and diligence, to get the houſe to be compoſed of quiet and governable " men." He has further favoured us with his method of marſhalling the members when once returned. *(St. Let. ib.)* " The lower houſe ſhould " be ſo compoſed, that neither the recuſants, nor yet the Proteſtants, ſhould " appear conſiderably one more than the other: holding them as much as " might be in an equal balance, as being thus eaſier to govern. And then " in private diſcourſe to ſhew the recuſants, that if the late contribution " ending in December of his majeſty's army was not ſupplied ſome other " way, the twelve pence per Sunday muſt of neceſſity be exacted from them. " And on the other hand, to ſhew the Proteſtants that his majeſty's army " muſt not let go the 20,000l. contribution, nor yet that he would diſcontent " the recuſants in matter of religion, till the army were elſe certainly pro- " vided for." And for the purpoſe of varying the balance of votes according to the exigency of circumſtances, this wary deputy acknowledges the nature of the *corps de reſerve*, which he conſtantly kept at command. " I ſhall labour to make as many captains and officers, burgeſſes in this " parliament, as I poſſibly can, who having immediate dependance upon " the crown, may always ſway the buſineſs between the two parties, which " way they pleaſe." We ſee by a further letter from his lordſhip to Secretary Coke, how much beyond his inſtruction he puſhed his arrogance and auſterity to the Catholics. For when the Earl of Fingal repreſented to him, that it had ever been uſual for the lords of the Pale to be conſulted concerning the parliament, and the matters to be therein propounded, he told this nobleman, that aſſuredly his majeſty would reject with ſcorn all ſuch foreign inſtructors: that the king's own councils were ſufficient to govern his own affairs and people, without borrowing from any private man whatſoever. But being rather diffident of the king's approval of this harſhneſs towards the lords of the Pale, he adds, " If I may from you gather it was too much, " I will put ſome water in my wine, and expreſs it more mildly to his " majeſty's contentment, as well in the manner as the matter."*

When the parliament had met, the lord deputy in his ſpeech informed them, " that his majeſty expected 100,000l. debt to be diſcharged, and 20,000l. " a year conſtant and ſtanding revenue, to be ſet apart for the payment of

* St. Let. 1 vol. p. 247.

the

" the army: and that his majeſty intended to have two ſeſſions of that par-
" liament, the one for himſelf, the other for them: ſo as if they without
" conditions ſupplied the king in this, they might be ſure his majeſty would
" go along with them in the next meeting, through all the expreſſions of a
" gracious and good king." It is painful to acknowledge that the king himſelf muſt have combined with Wentworth in deceiving his Iriſh ſubjects: he acknowledged* that a free gift of 120,000l. had been given to his majeſty for the proclamation and royal promiſe to get it confirmed in the firſt parliament that ſhould ſit; and that in the year 1631, 106,280l. 16s. 2½d. had been paid towards it. It was determined however to break through the promiſe at all events, and ſhould the deputy not have the addreſs to get the ſupplies voted before the performance of the condition entered into with the Iriſh nation, to diſſolve the parliament, and raiſe the ſupplies in ſome other manner. The king under this impreſſion, aſſured his deputy, " that it would
" not be worſe for him, though that parliament's obſtinacy ſhould make him
" break with them, for I fear, ſays his majeſty, that they have ſome grounds
" to demand more, than it is fit for me to give." The deputy however, took uncommon pains to perſuade the parliament, that in caſe of their unconditional grant of the ſupplies, the king would confirm the promiſed graces; for ſurely, ſaid he " ſo great a meanneſs cannot enter your hearts, as once to
" ſuſpect his majeſty's gracious regards of you, and performance with you,
" where you aſſie yourſelves upon his grace." We can more readily conceive, than expreſs that determined diſſimulation, which dictated this inſidious ſpeech to parliament, when Wentworth had not only adviſed the king to break his ſolemn promiſe, but had engaged to take upon himſelf all the obloquy, infamy, and danger of this breach of faith with the nation; and for which the king ſoon after thanked him in a letter written in his own hand.†

The

* St. Let. 1. vol. p. 68.

† " WENTWORTH,

" BEFORE I anſwer any of your particular letters to me, I muſt tell
" you, that your laſt diſpatch has given me a great deal of contentment, and eſpecially for the
" keeping off the envy of a neceſſary negative from me, of thoſe unreaſonable graces that people
" expected from me." *St. Let.* 1 vol. p. 331.

That it was the concerted and ſettled plan both of Charles and his deputy, to deceive and

The commons relying upon the promiſes of the deputy, voted ſix entire ſubſidies, amounting to 240,000l. a ſum far exceeding his moſt ſanguine expectations, and in return they drew up a remonſtrance* concerning his majeſty's promiſed graces, particularly in relation to the enquiry into defective titles, and deputed Sir George Radcliffe, maſter of the rolls, Sir James Ware, and nine other reſpectable members to preſent it to the deputy. Soon after the meeting of the ſecond ſeſſion of this parliament, (12th of November 1634) the commons were ordered into the preſence chamber to receive the lord deputy's anſwer. By this he informed them with ſullen imperiouſneſs,† that he would not tranſmit to England the ſtatute 21 *Jacobi*; but that ſuch refuſal was his own; their requeſt‡ never having been ſo much as ſent over by him: that paſſing this act to prevent enquiry into defective titles, was not good and expedient for the kingdom at that time, and ſo they were to reſt ſatisfied without ſtirring any more as to that particular, as a thing, which could not, nor would not be departed from. It is obvious, from their vaſt preponderancy both in numbers and property at this time, that this anſwer was chiefly, if not ſolely intended to affect the Catholics, who from it, ſays Wentworth,§ "were ſo ill to pleaſe, that "they loſt all temper, and broke forth into ſuch froward ſulleneſs, as was "ſtrange; rejecting hand over head every other bill, that was offered them "from his majeſty and the ſtate."

defraud the Iriſh, who had upon the faith of the king, purchaſed theſe graces for 120,000l. is not only evident from *their own* words, but is further proved by the admiſſion of our own hiſtorians. *Carte* (Orm. p. 61.) ſays, "he was not without apprehenſion, that the parliament might preſs for "a confirmation of all the graces given the 24th of May, 1628, in inſtruction to Lord Faulkland; "many of which, if eſtabliſhed by a law, would not ſort either with his majeſty's preſent profit, "(for that of limitting the title of the crown to ſixty years, would alone loſe him 20,000l. per "annum) or with the power requiſite to be upheld for the future in the kingdom." Vide Ruſhw. 2 vol. p. 210.

* Quod vide App. No. XX.

† Wentworth tells us, that he had already reſolved to give them an "anſwer round and clear, "and ſuch as would ſtifle all replication." (St. Let. 1 vol. p. 338.)

‡ This aſſertion was a direct falſehood: for he ſays in a letter to Coke of the 6th of October 1634, "that he ſends the petition of the lower houſe, relative to theſe graces: and that the ground of "denying all, may be ſet upon him and the council: and ſo his majeſty preſerved from all colour of "declining in any part of that which they expected. *St. Let. p.* 304.

§ St. Let. p. 304.

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*The ſubſequent conduct of the deputy clearly explained what he meant by *the inexpediency to the* kingdom, which the obſervance of the king's promiſe would at that time create. For he inſtantly ſet about his grand and favourite plan of inquiſition into the king's title to the whole province of Connaught: of which Leland thus ſpeaks."†. "Wentworth was impatient "to ſignalize his adminiſtration, by a ſervice of immediate and extenſive "emolument to his royal maſter. His project was nothing leſs, than to "ſubvert the title to every eſtate in every part of Connaught, and to eſtab-"liſh a new plantation through the whole province. A project, which "when firſt propoſed in the late reign, was received with horror and amaze-"ment, but which ſuited the undiſmayed and enterprizing genius of Lord "Wentworth. For this he had oppoſed the confirmation of the royal "graces tranſmitted to Lord Faulkland, and taken to himſelf the odium "of ſo flagrant a violation of the royal promiſe. The parliament was at "an end, and the deputy was at leiſure to execute a ſcheme, which as "it was offenſive and alarming, required a cautious and deliberate pro-"cedure."

The daring efforts of mercenary informers, the penetrating reſearches of rapacious adventurers, and the overſtrained ingenuity of court lawyers, were all employed by Wentworth in forwarding his darling project. He proceeded at the head of the commiſſioners of plantation to the weſtern province. He had previouſly intimidated the county of Leitrim into a voluntary recognition of the king's title and ſubmiſſion to a plantation. He next entered upon Roſcommon: and there the king's title was unexceptionably found without ſcruple or heſitation. If we give credit to Wentworth's own accounts of the preparations and diſpoſitions he had made

* One particularity attended the adminiſtration of Wentworth, which is to be traced in no other either before or ſince his time: namely a diſregard to every deſcription of perſons, who were not ſervilely devoted to his deſpotiſm. He convened a national ſynod or convocation of the Proteſtant clergy, in which he forced upon them the thirty-nine articles of the Church of England, more as Leland obſerves (3 v. p. 28) by the influence of his authority, than the "inclinations of a great "part of the clergy, although but one member of the convocation ventured publickly to avow his "diſſent. Theſe regulations in the eccleſiaſtical ſyſtem were followed by an eſtabliſhment too "odious, and therefore too dangerous to be attempted during the ſeſſions of parliament, that of an "high commiſſion court, which was erected in Dublin after the Engliſh model, with the ſame for-"mality and the ſame tremendous powers."

† 3 Lel. p. 30, 31.

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to ſecure the ſucceſs of this project, we ſhall agree with Leland's obſervations, that the preſence and interpoſition of a lord deputy, and a deputy whoſe character and temper were fitted to operate on men's paſſions, had probably their full effect on this occaſion.* He told the juries, that his majeſty's intentions in eſtabliſhing his undoubted title, was to make them a rich and civil people; that he propoſed not to deprive them of their juſt poſſeſſions, but to inveſt them with a conſiderable part of his own: that he needed not their interpoſition to vindicate his right, which might be eſtabliſhed in the uſual courſe of law, upon an information of intruſion; but that he wiſhed his people to ſhare with him in the honour and profit of the glorious and excellent work he was then to execute. To his majeſty it was indifferent, whether their verdict ſhould deny or find his title. If they were inclined to truth and their own intereſts, they were to find the title for the king: if to do that, which was ſimply beſt for his majeſty, without regard to their own good, the deputy adviſed them roughly and pertinaciouſly to deny to find any title at all.† Mayo and Sligo followed the example of Roſcommon, and found for the king. But the Galway jury leſs pliant, did not find the king's title; and we learn from the deputy's own words how he treated them, the ſheriff and council on this account. ‡"We "bethought ourſelves, ſays he, on this occaſion, of a courſe to vindicate "his majeſty's honor and juſtice, not only againſt the perſons of the jurors, "but alſo againſt the ſheriff for returning ſo inſufficient, indeed we conceive, "ſo packed a jury, and therefore we fined the ſheriff in a 1000l. to his "majeſty. The jury were fined 4000l. each; their eſtates were ſeized and "themſelves impriſoned, till the fines were paid." Such was the ſentence pronounced againſt them in the caſtle chamber,§ to which his lordſhip had

* St. Let. 1 v. p. 448.

† St. Let. 1 v. p. 442. Wentworth adds, that after this ſpeech to the jury, "there I left them "to chant together, as they call it, over their evidence, and the next day they found the king's title "without ſcruple or heſitation."

‡ St. Let. 1 v. p. 451.

§ This appears to have been the practice of his predeceſſors on ſimilar occaſions, which evidently was not the moſt effectual mode of reconciling the affections of the Iriſh to the humane laws, and mild government of England. "The ſtar chamber, (ſaid Lord Deputy Chicheſter in 1613) is the "proper place to puniſh jurors, that will not find for the king upon good evidence," *Def. Cur. Hib.* 1 *v. p.* 262.

bounden

bounden them over, and where he conceived, "*it was fit that their perti-
"nacious carriage ſhould be followed with all juſt ſeverity." And, "†as
"for the counſellors of the law, ſays he, who ſo laboured againſt the king's
"title, we conceive it is fit that ſuch of them as we ſhall find reaſon to pro-
"ceed withall, be put to take the oath of ſupremacy, which if they refuſe,
"that then they be ſilenced and not admitted to practice." However ready the deputy had at firſt been to bear the perſonal odium of the king's breach of promiſe and faith to his Iriſh ſubjects, yet latterly there appears to have been a mutual engagement between the king and deputy to aſſume conjointly the blame and infamy of each other's conduct towards that unfortunate nation. Wentworth aſſures us, that upon his making a report to the king and council of theſe proceedings, his majeſty ſaid, "it was no ſeverity, wiſhed him to
"go on in that way; for that if he ſerved him otherwiſe, he ſhould not
"ſerve him as he expected. So I kneeled down," adds he, "kiſſed his ma-
"jeſty's hand, and the council roſe."‡

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* St. Let. ubi ſupra.

† St. Let. 1 Vol. 454.

‡ Were it not for theſe avowals by the parties themſelves, one could be ſcarcely induced to credit the grounds upon which the commons of England voted the following amongſt other grievances under Strafford's adminiſtration, to be real: viz. "That jurors who gave their verdict according "to their conſciences, were cenſured in the caſtle chamber in great fines; ſometimes pillored, with "loſs of ears, and bored through the tongue, and ſometimes marked in the forehead, with other in-"famous puniſhments." We have indeed his own teſtimony for the various cautionary practices he was wont to uſe on theſe occaſions. In a letter to the ſecretary, he ſays (*St. Let. 1 vol. 353.*) "This houſe is very well compoſed, ſo as the Proteſtants are the majority; and this may be of great "uſe to confirm and ſettle his majeſty's title to the plantations of Connaught and Ormonde; for "this you may be ſure of; all the Proteſtants are for plantations, all the other againſt them: ſo as "theſe being the greater number, you can want no help they can give you therein. Nay, in caſe "there be no title to be made good to theſe countries in the crown, yet ſhould I not deſpair "forth of reaſons of ſtate and for the ſtrength and ſecurity of the kingdom to have them paſſed to "the king by an immediate act of parliament." And in the ſame letter he adds, "that he conſi-"dered that majority of the Proteſtants in the houſe of commons as a good rod to hold over the Pa-"piſts." And (*St. L.* 442) he further informs us, that he had given ſpecial directions to have men of fortune returned upon the juries in Connaught, for the firſt trials of the defective titles, becauſe "this being a leading caſe for the whole province, it would ſet a value in their eſtimation upon the "goodneſs of the king's title, if found by thoſe perſons of quality. And on the other hand, if the "jury ſhould prevaricate, he would be ſure then to have perſons of ſuch means, as might anſwer to "the king in a round fine in the caſtle chamber: and becauſe the fear of that fine would be apter

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It was impoſſible, that ſome complaints of the harſh, imperious, and unjuſt adminiſtration of Wentworth ſhould not reach the royal ear: but his influence upon the mind of Charles was proof againſt all the efforts of his enemies. He was, indeed, recalled, but upon repreſenting his own caſe to the king, beſides receiving the order of the garter and earldom of Strafford, he was confirmed in his ſtation, under the more honorable title of lord lieutenant. The king's neceſſities obliged him to call parliaments both in England and Ireland: and although the Iriſh parliament readily voted ſix more ſubſidies, the commons conſidering ſupplies and grievances to go hand in hand, preſented a very ſtrong petition of remonſtrance,* ſetting forth in fourteen ſeparate articles, the grievances that nation then laboured under. Strafford being juſtly alarmed at the progreſs and conduct of the Scotch covenanters, and perceiving the affairs of his royal maſter, both in England and Scotland, to be on the decline, raiſed a body of 9000 men in Ireland, 8000 of which were Roman Catholics; well knowing that he could rely upon their loyalty and zeal for his majeſty's crown and dignity. The Iriſh,† ſaid he, "were "as ready for this purpoſe to venture their perſons, as they were to open "their purſes." Conſcious, however, that he was repreſented in England (and not without reaſon) as obnoxious to this body of men, he conceived, nevertheleſs, the vain ambition of commanding them in the field:‡ he laboured, therefore, privately to perſuade the king,§ "that the Iriſh did not "diſtate him ſo much, as willingly to change him, or to deſire any new "deputy in his ſtead, and that if it were left to their choice, they would "not have any other general but himſelf." Although the arrogance and

"to produce the deſired effect in ſuch perſons, than in others, who had little or nothing to loſe." He elſewhere (Ib. 339) admits, "that he enquired after fit men to ſerve upon juries; and treated "with ſuch as would give furtherance to the king's title." And he alſo propoſed the raiſing of 4000 horſe as good lookers on whilſt the plantations were ſettling. And in ſtill further promotion of this favorite ſcheme, he prevailed upon the king to beſtow twenty per cent. or one full fifth of the value of all the eſtates to the lord chief juſtice and chief baron. Which he ſays (*St. Let. 2 vol.* 41) "he had "found upon obſervation, to be the beſt given that ever was: for that by theſe means, they did "intend that buſineſs with as much care and diligence as if it were their own private: and that every "four ſhillings once paid would better his majeſty's revenue four pounds."

* Quod vide in App. No. XXI.

† St. Let. 2 vol. paſſim.

‡ A high, though ungracious compliment to the men whom he had ever diſliked and perſecuted.

§ Ibid.

pride

pride of Strafford prevented him from being beloved by individuals, his vanity and ambition rendered him greedy of public admiration and eſteem: finding therefore his power on the decline, he deſcended to the pitiful ſhift of forcing his own eulogy upon the national records by means of his creatures in parliament. The preamble of the laſt act of ſubſidies contains the moſt fulſome forced panegyrick of his *ſincere and upright adminiſtration*, with thanks to his majeſty for having placed over them ſo *wiſe, juſt, and vigilant a governor*. Theſe very commoners, however, in the very next ſeſſion of parliament, entered into a ſolemn proteſtation (in which they were joined by the lords), "*that the aforeſaid preamble to the act of ſubſidies "was contrived, penned, and inſerted fraudulently (without the privity of "the houſe, either by the earl of Strafford himſelf, or by ſome other perſon "or perſons adviſors, procurors, or actors of or in the manifold and general "grievances and oppreſſions of his majeſty's kingdom of Ireland, by the di- "rection and privity of the ſaid earl, on purpoſe to prevent and anticipate "the juſt and univerſal complaints of his majeſty's faithful, dutiful, and "loving ſubjects againſt him." It is well known, that the Earl of Strafford was attainted by the Engliſh parliament of high treaſon, and ſuffered death as a traitor, and that the attainder was afterwards reverſed by parliament under Charles II. upon the grounds that the turbulent party not being able to convict him of any ſingle act of treaſon, had framed, and by force and violence paſſed an act for his attainder for *accumulative or conſtructive* treaſon. In making every allowance for the oppoſite extremes of party prejudice in the years 1641 and 1660, we muſt not diſſemble, that Strafford, though innocent of treaſon, was guilty of high miſdemeanors; and conſidering the force of example and the evil conſequences of high miſdemeanors in the ſupreme governor of a kingdom, it is but a tribute of juſtice to a much traduced nation, to lay before the public the ſolemn and conſiderate judgment of their ſovereign, upon thoſe very acts of his friend and favorite, of which he ſaw but too late the miſchief and enormity. Within a fortnight before the execution of the Earl of Strafford, his majeſty made a ſpeech to the houſe of peers, in which after telling them that he had been preſent at the hearing of that great caſe from one end to the other; "I muſt, ſays he, tell you, that

* 1 Journ. Com. of Ireland, 176. As this proteſtation throws ſtrong light upon the temper of the Iriſh, immediately before the grand rebellion, it is given in the Appendix, No. XXIII.

" I cannot in my conſcience condemn him of high treaſon, &c. I deſire " rightly to be underſtood: for though I tell you in my conſcience I cannot " condemn him of high treaſon, yet I cannot ſay I can clear him of miſde- " meanures, &c. Nay, for miſdeameanures I am ſo clear in them, that " though I will not chalk out the way, yet I will ſhew you, that I think " my Lord Strafford is not fit hereafter to ſerve me, or the common-wealth, " in any place of truſt; no, not ſo much as a conſtable."*

Although Charles had given this ſolemn teſtimony of the miſconduct of Strafford, yet ſo implicated was he in his lordſhip's ſyſtem of governing Ireland, that he appointed by Strafford's recommendation his kinſman and creature Sir Henry Wandeſworth, to ſucceed him. Fear, deſpair, and grief, brought on by the violent and oppreſſive adminiſtration of Strafford, ſoon occaſioned the death of the new deputy. So infatuated however was the king with the ſyſtem of his favorite, notwithſtanding he had pronounced him unworthy to be even a conſtable, that he appointed Lord Dillon, the friend and relative of Strafford, and Sir William Parſons, lord juſtices of that kingdom; but finding that Lord Dillon was not agreeable to the Iriſh nation becauſe of this intimacy and alliance, he cancelled the commiſſion, and appointed Sir John Borlaſe, maſter of the ordnance, in his room. †No ſooner, ſays Warner, were theſe miniſters poſſeſſed of their high power, than they endeavoured to put the government on its former footing: in order to mollify the ſharp humours, which ſome of the rigid meaſures of the Earl of Strafford's adminiſtration had introduced; the known laws of the land were made the ſtandard of their government: and they gave all due encouragement to the parliament then ſitting, for the eaſe and accomodation of his majeſty's ſubjects in ſome important articles. Happy had it been for the king and kingdom that this ſyſtem had been ever purſued!

Charles finding, that his frequent breaches of faith with the Iriſh, and the avowed miſdemeanors of his favorite Strafford had tended greatly to eſtrange the affections of his Iriſh ſubjects, made one more effort to recal their attach-

* After this teſtimony, what faith can be given to Carte, and our other hiſtorians who follow him, telling us, " that there could not be a higher or juſter eulogium given of a governor, and of " his upright and impartial adminiſtration by any body of men, than was given of this lord lieute- " nant and his adminiſtration by this houſe of commons: it was given *nemine contradicente*, and " paſſed with loud and general acclamation of applauſe." 1 Orm. 107.

† Warner's Hiſt. of Reb. p. 5.

ment

ment by a *freſh* pledge of his royal word. He wrote to the lords juſtices a public letter* of aſſurance that his loving ſubjects ſhould from thenceforth enjoy the graces promiſed to them in the fourth year of his reign. Soon after the receipt of this letter, the parliament adjourned: and the lords juſtices, as they had been inſtructed, iſſued a proclamation of all his majeſty's grants and graces, that they might be known to the people. So little however were they even now diſpoſed to diſcredit the word of their ſovereign, that the new proclamation ſeemed to have produced a total oblivion of the breach of the former: general ſatisfaction prevailed, in full confidence, that the laws, to which the people now conſidered themſelves entitled by compact and purchaſe, would be paſſed at the meeting of the parliament. During this receſs the grand rebellion broke out, or rather was proclaimed.

In order to form an unbiaſſed judgment of this period of Iriſh hiſtory, we muſt attend cloſely to the power and aſcendancy, which the Puritan party then had acquired in that kingdom. In many points of view it was more extenſive and powerful than in England: for the ſpirit of it not only pervaded every department of the ſtate, civil, military, and clerical, but their efforts being chiefly directed againſt the Catholics, were eagerly ſeconded by all the Proteſtants of that kingdom; the deſtruction of Popery being a common object of their mutual zeal. The Puritans dreaded the loyalty more than the religion of the Catholics; but by perſecuting them on the ſcore of religion, they attacked their means of ſupporting the royal cauſe, and aſſociated all other Proteſtants with them, whilſt they could thus mask their batteries againſt the throne. As long therefore as the independants could keep up the diviſion of Ireland into *Catholic* and *Proteſtant*, ſo long were the loyal Proteſtants deceived in the aſſiſtance they gave to the arms of thoſe rebels. It is impoſſible to fix the day on which the uſurped power of the parliamentarians commenced, and the conſtitutional power of the crown ceaſed. From the moment of that uſurpation, reſiſtance to the parliamentary power, was loyalty, not treaſon. The Iriſh Catholics were the firſt and laſt in arms for King Charles†. It was their boaſt and glory to oppoſe

* As the beginning of this letter ſhews the purport of the whole, it is to be ſeen in the Appendix, No. XXIV.

† I know of no better authority than that of Lord Strafforde, to prove the extraordinary loyalty and affection of his majeſty's Iriſh Catholic ſubjects, however prone others have been to traduce

oppoſe all the king's enemies, notwithſtanding the duplicity and ſeverity they had experienced from the crown. The Puritans wiſhed to raiſe the Catholics in arms, eſpecially, whilſt they could command the co-operation of the other Proteſtants to ſubdue them. And thus it is evident, that in Ireland the Puritan party for a conſiderable time continued to forward their rebellious deſigns againſt the throne, under the appearance of loyalty and ſubmiſſion to the royal authority, and with the concurrence of his majeſty's arms. In every quarter of the kingdom, in every department of government, they found means to foment and raiſe what they called a Popiſh rebellion. The lords juſtices, *Borlaſe* and *Parſons* prevented the bills of grace from paſſing, in direct contravention of the king's commands, they revived the perſecution to the higheſt degree of irritation againſt the Catholics, and publiſhed throughout that kingdom certain petitions preſented to the parliament of England, which were applications for the means of deſtroying the religion,

and ruin them. He tells the King in a letter on the 23d of March, 1639: "This very evening "the ſupply was propounded in the houſe of commons, and four ſubſidies aſſented with all poſſible "cheerfulneſs, together with a declaration that they will further ſupply your majeſty with their "eſtates and fortunes to the very uttermoſt, deſiring this declaration may be printed together with "the bill for ſubſidies, &c. In one word, your majeſty may have with their free good will as much "as this people can poſſibly raiſe. Next, your majeſty may as ſafely account yourſelf maſter of their "lives and fortunes, as the beſt of kings can promiſe to find amongſt the beſt of ſubjects; and that "if thoſe in England comply with the like alacrity, and miniſter to your majeſty's princely deſigns "and purpoſes, you will be at an end of the war before it begins. My next endeavour is, to ſettle "the levies for the 8000 foot, and for ordering thoſe other great incidents accompanying ſo great a "deſign, as will be the tranſportation and maintenance of ſo great an army, wherein I will not loſe "an hour, or ſuffer this nation to cool on my hands, whoſe zeal is all on fire to ſerve your majeſty "on this occaſion." (2 vol. St. Let. 396.) In a letter from thirteen privy councillors to ſecretary Windebank on the ſame day, it is ſaid, "which we mention for the glory of his majeſty, that hath "ſo good and loyal ſubjects." Strafford on the next day, in a letter to Windebank, ſays, "As in "their purſes, ſo alſo in their perſons I find them moſt earneſt to venture them in his majeſty's ſer-"vice," (399) and in the poſtſcript to that letter, viz. on the 28th of March, he adds, "In truth, "there cannot better be deſired of them than they are willing to effect." In this very letter to Windebank, he gives us full proof of his contempt of the Iriſh, and a ſtrong implied avowal, that he had not theretofore conſulted their wiſhes and happineſs: "Next, I will paſs the royal aſſent upon "the bills of ſubſidies, and two or three bills of grace, which will be alſo ready, and ſo adjourn till "after Whitſuntide, diſmiſſing them with the beſt words I can poſſibly give them, to make them "in love and liking with what they have done: and afterwards to the utmoſt of my power always "miniſter to their fitting contentment and ſatisfaction, as in truth they paſſing well deſerve." If he had been ſincere in this, his future conduct towards them, would have been widely different from the paſt.

lives,

lives, and eſtates of the Catholics of Ireland. The Scotch covenanting army publiſhed the like reſolutions, and the Iriſh believed them earneſt in their declarations that they would extirpate all the Catholics from the province of Ulſter, and enforce the covenant by the rope and the ſword. Under theſe menaces and alarm, ſome few of the northern Catholics aſſociated and armed in ſelf-defence againſt thoſe whom they conſidered enemies to God and their king. Some private views will always on ſuch occaſions be mingled with the common cauſe. Lord Clanricarde, who had juſt arrived from England at this juncture, ſaid, however that "* none appeared in this deteſ "table conſpiracy, or entered into action, but the remains of the ancient "Iriſh rebels in the north, and ſome of the planted county of Leitrim." But how did the king himſelf ſpeak of this rebellion?

"† The commotions," ſays his majeſty, "in Ireland were ſo ſudden and ſo "violent, that it was hard at firſt either to diſcern the riſe, or apply a remedy "to that precipitant rebellion. Indeed that ſea of blood, which hath there "been cruelly and barbarouſly ſhed, is enough to drown any man in eternal "infamy and miſery, whom God ſhall find the malicious author or inſtigator "of its effuſion." It is not difficult to decypher, that the royal apologiſt meant to lay this rebellion to the account of the Puritan party of that day, charging them with thinking, "they cannot do well but in evil times, nor "ſo cunningly, as in laying the odium of theſe events on others, wherewith "themſelves are moſt pleaſed, and whereof they have been not the leaſt oc- "caſion. And certainly it is thought by many wiſe men, that the prepoſ- "terous rigor and unreaſonable ſeverity, which ſome men carried before "them in England, was not the leaſt incentive that kindled and blew up "thoſe horrid flames, the ſparks of diſcontent, which wanted not prediſpoſed "fewel for rebellion in Ireland: where deſpair being added to their former "diſcontents, and the fear of utter extirpation to their wonted oppreſſions, "it was eaſy to provoke to an open rebellion a people prone enough to break "out to all exorbitant violence, both by ſome principles of their religion, "and the natural deſires of liberty; both to exempt themſelves from their "preſent reſtraints, and to prevent thoſe after-rigors wherewith they ſaw "themſelves apparently threatened by the covetous zeal and uncharitable "fury of ſome men, who think it a great argument of the truth of their reli- "gion, to endure no other than their own."

* Clan. Mem. 68.

† Εικων Βασιλικη. p. 50, 51, &c.

"I would

"I would to God no man had been leſs affected with Ireland's ſad eſtate "than myſelf. I offered to go myſelf in perſon upon that expedition *: but "ſome men were either afraid I ſhould have any one kingdom quieted, or "loath they were to ſhoot at any mark leſs than myſelf: or that any ſhould "have the glory of my deſtruction but themſelves. Had my many offers "been accepted, I am confident neither the ruin would have been ſo great, "nor the calamity ſo long, nor the remedy ſo deſperate."

"But ſome kind of zeal counts all merciful moderation, lukewarmneſs, "and had rather be cruel than counted cold; and is not ſeldom more greedy "to kill the bear for his ſkin, than for any harm he hath done: the confiſ- "cation of men's eſtates being more beneficial, than the charity of ſaving "their lives, or reforming their errors." And, "I believe it will at laſt ap- "pear, that they, who firſt began to embroil my other kingdoms, are in great "part guilty, if not of the firſt letting out, yet of the not timely ſtopping "thoſe horrid effuſions of blood in Ireland." So ſpoke the king even from the partial accounts tranſmitted to him by his own favorites, who were generally enemies to Ireland.

It is not to be diſſembled, that in an affair of ſuch diverſified moment, a vaſt variety of cauſes muſt have co-operated to produce the effects, which ſo deeply affected the ſtate. We are aſſured by different authors, that many were excited to rebellion by the ſucceſs of the Scotch covenanters, who, by their irruption into England, had obtained the ſum of 200,000l. to induce them to return quietly into their own country; others, from the dread of the menaces of the covenanting army in Ireland, that they would extirpate every prieſt and Papiſt out of the nation: that ſome of them embarked in it from zeal to their own, and others from abhorrence of the reformed religion under all its different forms and denominations; that all the Puritans, and moſt other deſcriptions of Proteſtants, ſeized with that turbulent and reſtleſs ſpirit, which then agitated England, cloſely followed its examples by oppo- ſing all royal authority whatever: that numbers of the old Mileſian Iriſh ſeized upon this moment of confuſion and weakneſs in the Engliſh cabinet, to revive and enforce their ancient claims to the kingdom, which they ſtill conſidered as uſurped by the Engliſh, and withholden from them by no other

* Sir E. Walker ſays (Hiſt. Diſc. 231) that this propoſal was ill taken by the commons, as fear- ing the rebels might ſubmit to his majeſty, and ſo become his in oppoſition to their deſigns.

right

right or title than of force: that no inconſiderable portion of the nation was ſtimulated into inſurrection by their clergy who had been educated abroad in hopes of procuring a civil eſtabliſhment of the Catholic religion, and other foreign emiſſaries from courts, whoſe politics prompted them to weaken the power of the Britiſh empire by the internal diſſentions of its ſubjects: in a word, that numberleſs individuals, bereft of their poſſeſſions by plantations and forfeitures, perſecuted for the exerciſe of their religious duties, or prevented from any uſeful or permanent occupation by the effects or abuſe of the penal laws, or the indolence of their own diſpoſitions, compoſed a formidable body of malcontents, who ſought redreſs, preferment or exiſtence in the confuſion of commotion and turbulence. Theſe various motives probably operated upon the individuals: but the main ſource of the evil lay in the exiſtence of real grievances, which formed a plauſible rallying point to all. And it is inconteſtible, that ſuch at this time was the prevalence of the Puritan party in Ireland, ſuch their arrogance, ferocity and power, ſuch their avowed hatred to the Catholics, and ſuch their ſtill diſſembled but active enmity to royalty, that the moſt ſerious apprehenſions of an immediate general maſſacre or extermination of the whole body of the Catholics were generally entertained throughout the kingdom.* There prevailed at this time

* This amongſt many other documents appears by a remonſtrance preſented at that time by the northern nobility and gentry to the king, which is to be ſeen in Def. Cur. Hyb. 2 vol. 86, and contains the following paſſage. "There was a petition framed by the Puritans of this kingdom of Ire-"land, ſubſcribed by the hands of many hundreds of them, and preferred to the houſe of commons "of the new parliament of England, for ſuppreſſing our religion and us the profeſſors thereof reſiding "within this kingdom of Ireland: which as we are credibly informed, was condeſcended unto by "both houſes of parliament, there, and undertaken to be accompliſhed to their full deſires, and "that without the privity or allowance of your majeſty." And Dr. Anderſon in his Royal Genealogies, p. 786, ſays, "That the native Iriſh being well informed as they thought (in 1641) that "they now muſt either turn Proteſtant or depart the kingdom, or be hanged at their own door: they "betook to arms in their own defence, eſpecially in Ulſter, where the ſix counties had been for-"feited." About this ſame time a very ſtrong and diſpaſſionate remonſtrance from Cavan, ſaid to have been drawn up by biſhop Bedel, was preſented to the lords juſtices: and Burnet in his life of Biſhop Bedel owns, that this remonſtrance gives the beſt colors to their proceedings of any of their papers he had ever ſeen: (Vid. App. No. XXII.) "The northern plantations, ſays Leland (8 Vol. "89) could not but be offenſive to the old Iriſh: and thoſe among them that ſubmitted and ac-"cepted their portions of land, complained that in many inſtances they had been ſcandalouſly de-"frauded. The revival of obſolete claims to the crown, haraſſing of proprietors by fictions of law, diſpoſſeſſing

time a conviction that the armed force in Ireland* was, generally, hoſtile to the king, and that the Engliſh parliament had either by conceſſion or uſurpation, acquired the government of the kingdom of Ireland.† All the remonſtrances of the Catholics expreſſed their loyalty to his majeſty, and tenders of ſervice againſt his enemies; for ſuch from that time they conſidered the covenanters, and all thoſe who ſupported or adhered to them: and their complaints generally ran againſt the harſhneſs, arrogance, and injuſtice of their immediate governors.

On the 23d of October, 1641, the lords juſtices iſſued a proclamation, by which they declared, "that a diſcovery had been made of a moſt "diſloyal and deteſtable conſpiracy, intended by ſome evil affected Iriſh "Papiſts, univerſally throughout the kingdom." Whether this miſrepreſentation of the univerſality of the conſpiracy aroſe from malice or deſign, certain it is, that the lords and gentlemen of the Pale immediately repreſented in a petition to the lords juſtices and council, that they and other innocent perſons might ſeem to be involved as Catholics in the general terms of the proclamation; whereupon on the 29th of the ſame month, they ſent forth an explanatory proclamation, declaring, that by the words "*Iriſh Papiſts* they intended only ſuch of the old Mere Iriſh in the pro-"vince of Ulſter as had plotted, contrived, and been actors in that treaſon,

"diſpoſſeſſing them by fraud and circumvention, and all the various artifices of intereſted agents "and miniſters, were naturally irritating. And the public diſcontents muſt have been further "enflamed, by the inſincerity of Charles in evading the confirmation of his graces; the inſolence "of Strafford in openly refuſing it, together with the nature and manner of his proceedings with "the proprietors of Connaught."

* I ſpeak not of that armed force of 8000 men, which had been raiſed by Lord Strafford to be led into Scotland, and which was diſbanded in June 1641, without any inconvenience or diſorder in the nation at that time. *Carte Orm.* 1 *vol. p.*134. The 1000 Proteſtants of this body were ſent back to their old corps, from whence they had been drafted. Of the loyalty and zeal of this corps, Strafford has left us the following eulogies. *State Letters*, 2 *vol.* "It is hardly to be be-"lieved what forwardneſs there is in theſe people to ſerve in this expedition (againſt the Scots) "Certainly they will ſell themſelves to the laſt farthing before they deny any thing which can be "aſked of them in order to that." And in another letter he tells the king, "they are all on fire "to ſerve his majeſty."

† With reference to this idea, Dr. Warner ſaid (*Hiſt. of Reb. p.*5.): "So that he might fur-"ther teſtify his reſolutions to make his Iriſh ſubjects eaſy under his government, in the beginning "of May he appointed the Earl of Leiceſter, and *not the Engliſh parliament*, as Ludlow ſays, "lord lieutenant of that kingdom."

"and

" and others that adhered to them; and none of the old Engliſh of the " Pale or other parts of the kingdom."* Here I wiſh to draw an impervious veil over every ſcene of blood and horror which defiled the actors, as well as over the imaginary fictions and exaggerations which have diſgraced moſt of our hiſtorical relations of theſe tranſactions.† Suffice it to ſay, that there appears to have been no preconcerted ſyſtem or preparation

* It is devoutly to be wiſhed, that one injunction of this latter proclamation had been attended to; for by it the lords juſtices enjoined all his majeſty's ſubjects, whether Proteſtants or Papiſts, to forbear upbraiding matter of religion on this occaſion.

† There are no bounds to the exaggerations of our hiſtorians, as to the number of Proteſtants ſaid to have been maſſacred by the Iriſh in this rebellion. Sir John Temple ſays, that 150,000 Proteſtants were maſſacred in cold blood, in the two firſt months of the rebellion. Sir William Petty coolly calculates 30,000 Britiſh were killed, out of war, in the firſt year of this inſurrection. And Lord Clarendon laments, that in the firſt two or three days of it, 40 or 50,000 of them were deſtroyed. Dr. Warner, though very adverſe to the Iriſh, confeſſes, that he could only collect from poſitive evidence and report for the firſt two years, that 4028 were killed, and that 8000 died of ill uſage; which he ſays was corroborated by a letter in the council book, at Dublin, written on the 5th of May, 1652, from the parliamentary commiſſioners in Ireland to the Engliſh parliament: which, in order to excite the parliament to greater ſeverity or at leaſt leſs lenity towards the Iriſh, tells them, that it then appeared, that beſides 848 families, there were killed, hanged, and burnt, 6062. In juſtice, however, to Lord Clarendon, it muſt be mentioned, that he admits one fact that contradicts moſt of our authors, and is contrary to the generally received notion, that this rebellion firſt broke out by a *general maſſacre* of all the Proteſtants that could be found, in cold blood. " About the beginning of November (ſays he), 1641, the Engliſh and Scotch forces in " Carrickfergus, murthered, in one night, all the inhabitants of the iſland Gee (commonly called " *Mac Gee*), to the number of above 3000 men, women, and children, all innocent perſons, in " a time when none of the Catholicks of that country were in arms or rebellion. Note that this " was the firſt maſſacre committed in Ireland, of either ſide." *Clar. Hiſt. Rev. of the Affairs of Ireland, p.* 329. This pathetic lamentation of Clarendon, which he muſt have known to be falſe, is to be placed to the account of his zeal for the good cauſe, and to be conſidered as one of the pious ejaculations of a ſore frightened and irritated mind, which he completely falſifies when he returns to the duty of an hiſtorian. For how could 40,000 or 50,000 Proteſtants have been maſſacred within the two or three firſt days of the rebellion, which began on the 23d of October, when he tells us, that the 3000 Iriſh Papiſts maſſacred by the Proteſtants in the enſuing month, was the firſt maſſacre of either ſide. His lordſhip alſo gives this teſtimony of the Iriſh ſuffering without retaliation in Munſter: " In Decy's county, the neighbouring Engliſh garriſons of the county of " Cork, after burning and pillaging all that county, they murthered above 300 perſons, men, wo- " men and children, before any rebellion began in Munſter, and led 100 labourers priſoners to " Caperquine, where being tried, by couples were caſt into the river, and made ſport to ſee them " drowned. Obſerve that this county is not charged with any murther to be committed on Pro- " teſtants." *Ibid. p.* 396.

for a riſing on the part of the Iriſh, when their moſt virulent libeller *Sir John Temple* admits, that " theſe rebels at their firſt riſings out had not " many better weapons than ſtaves, ſcythes, and pitchforks." *Borlaſe*, who ſtill improved upon Temple's rancour to the Iriſh, ſays, " the firſt in- " ſurgents in Ulſter, though without arms and ammunition, got poſſeſſion " of moſt parts of the kingdom." The Earl of Ormond, according to Carte, acknowledged, that " ſuch of the inſurgents as appeared to him " ſeemed rather to be a tumultuous rabble, than any thing like a diſ- " ciplined army; and he was of opinion, that there were as many arms, " within a few, in the hands of 600 of the king's forces, as there were " amongſt all the rebels then in the kingdom." But what Lord Clan-rickard, to whom neither party refuſes credit, ſays, is the moſt important to be known: " That the Scots in Ulſter were 40,000 well armed men, " when the rebellion commenced; at the ſame time that the rebels were at " leaſt by half leſs numerous, and furniſhed with few better weapons than " ſtaves, ſcythes, and pitchforks." In the very outſet of the riſing in Ulſter, the chiefs of the inſurgents, through fear of this formidable armed force of the Scots in Ulſter, publiſhed a proclamation, " forbidding their " followers, on pain of death, to moleſt any of the Scottiſh nation in body " or goods." And Temple admits that this was for a time obeyed. The lords juſtices *Parſons* and *Borlaſe*, who gave deeply into the Puritan party, not only declined all offers, and checked every exertion of the loyal Catho-lics to put down the northern inſurrection, but forced their ingenuity and power to the utmoſt, in order to drive the reſt of the kingdom into a ſimilar inſurrection, for the baſe and profligate purpoſe of profiting of the for-feitures of thoſe who ſhould give into it;* in which nefarious project they too effectually ſucceeded. The conduct of theſe infamous juſtices, which goaded the loyal Iriſh into inſurrection, is thus ſummarily detailed by Dr.

* " Whatever (ſays Leland) were the profeſſions of the chief governors, the only danger they " really apprehended, was that of a too ſpeedy ſuppreſſion of the rebellion. Extenſive forfeitures " was their favorite object, and that of their friends." 3 *Leland, p.* 160. They with ſome of their partizans in the council, ſays Carte (1 vol. p.194), privately wrote to the Earl of Leiceſter, then lord lieutenant, deſiring his ſecrecy, for they could not ſpeak openly at the council board; that he would not accept of any overtures for checking the Northern rebellion, becauſe the charge of ſupplies from England would be abundantly compenſated out of the eſtates of the actors in the rebellion.

Warner,

Warner, who had evidently no propenſity to favor the Iriſh: * " The ar-
" bitrary power exerciſed by theſe lords juſtices; their illegal exertion of it by
" bringing people to the rack to draw confeſſions from them; their ſending
" out ſo many parties from Dublin and other garriſons to kill and deſtroy
" the rebels, in which care was ſeldom taken to diſtinguiſh, and men,
" women, and children were promiſcuouſly ſlain; but above all, the mar-
" tial law executed by Sir Charles Coote, and the burning of the Pale for
" ſeventeen miles in length, and twenty-five in breadth, by the Earl of
" Ormond; theſe meaſures not only exaſperated the rebels, and induced
" them to commit the like or greater cruelties, but they terrified the
" nobility and gentry from all thoughts of ſubmiſſion, and convinced
" them, that there was no room to hope for pardon, nor any means of
" ſafety left them but in the ſword." And Leland obſerves, † " that the
" favorite object both of the Iriſh government and Engliſh parliament,
" was the utter extermination of all the Catholic inhabitants of Ireland.
" Their eſtates were already marked out and allotted to the conquerors,
" ſo that they and their poſterity were conſigned to inevitable ruin." Thus
was the nation compelled to arm in ſelf-defence. The ſyſtem of tyranny
and oppreſſion, under which they groaned they attributed to the parliament;
and in reſiſting it, they then and ever ſince have conſidered themſelves
acting as royaliſts.‡ It has been ſaid, that a commiſſion under the great
ſeal

* Hiſtory of Rebellion, p. 183.

† 3 Leland, p. 166.

Carte, the panegyriſt of Ormond, tells us, that after Parſons's diſgrace he owned to Clanrickarde, that during Borlaſe's and his adminiſtration, " the parliament's pamphlets were received as oracles, " its commands obeyed *as laws*, and extirpation preached for Goſpel." How infamous then was it not in Ormond, to lend himſelf as the baſe tool to their enormities. The prevention of the king's will that the acts of grace ſhould be paſſed in parliament, the breach of faith with the lords of the Pale, the ſuppreſſion of the royal proclamations and pardons, unmerited and unreſiſted maſſacres, burnings, and pillages, were the further means, by which theſe juſtices forced the loyal Iriſh to reſiſt the uſurped tyranny of the parliamentarians.

‡ Sir William St. Leger, the preſident of Munſter, committed the moſt unprovoked murders and barbarities throughout that province, and when the principal nobility and gentry remonſtrated with him upon the danger of their riſing, he tauntingly inſulted them all " as rebels, would not " truſt one of them, and thought it moſt prudent to hang the beſt of them." In this he was encouraged by Ormond, to whom he wrote on the 8th of November, 1641, " that they were " then only a company of ragged, naked rogues, that with a few troops of horſe would be preſently " routed." And on the 11th, " Never was ſuch a war heard of, no man makes head." *Carte Orm.*

ſeal to Phelim O'Nial to riſe in arms againſt the uſurped armed force of the Proteſtants in Ireland had been forged. The king's enemies affected to believe it a true commiſſion; their aim being to implicate his majeſty in the buſineſs, by conſidering this commiſſion as an open declaration of war by Charles and his Iriſh Catholic ſubjects againſt his parliament and Proteſtant ſubjects. But the forgery of it by O'Nial (as he confeſſed it at the place of his execution) ſpeaks highly in favor of the loyalty of the Catholics, who could on no other grounds be induced to take up arms, but in ſupport and defence of the king, and his crown and dignity. The king's conduct at this time, in relation to his Iriſh ſubjects, could have no other appearance in their eyes, than of compulſion: for they never could believe that the King of Ireland ſhould adopt the unconſtitutional and unjuſt meaſure of committing to his Engliſh parliament the care and whole government of the kingdom of Ireland, they then having an independent parliament of their own. Yet that this was attempted, appears from the order of the two houſes of parliament to the lords juſtices, in which no aſſent, or even derivative idea of the king's authority is referred to.* The lords and gentlemen of the Pale, whoſe houſes had been burned, whoſe lands had been deſtroyed, whoſe tenants had been murdered by the Earl of Ormond under theſe parliamentary juſtices, without crime, provocation, or reſiſtance, renewed their application to government to accept of their beſt endeavours to check and put a ſtop to the inſurrection, now daily encreaſing throughout the kingdom: but their overtures were indignantly rejected. The Earl of Caſtlehaven was impriſoned; and Sir John Read was put on the

The particular views for goading this province into rebellion, are fully laid open in Lord Corke's letter to the ſpeaker of the Houſe of Commons in England, which he ſent together with 1100 indictments, againſt perſons of property in that province, to have them ſettled by crown lawyers, and returned to him: and ſo ſays he, "*if the houſe pleaſe* to direct to have them all proceeded againſt "to outlawry, whereby his majeſty may be entitled to their lands and poſſeſſions, which I dare "boldly affirm, was, at the beginning of this inſurrection, not of ſo little yearly value as 200,000*l*." This Earl of Corke was notorious during the two preceding reigns, for his rapacity; but this laſt effort he called the *work of works*. In Dublin, many were put to the rack, in order to extort confeſſions: and in the ſhort ſpace of two days, upwards of 4000 indictments were found againſt landholders, and other men of property, in Leinſter. And numerous are the letters of Lord Clanricard to Ormond, and others, complaining of ſimilar attempts to raiſe Connaught into rebellion, even by Ormond's own troops.

* Vide Appendix, No. XXV.

rack,

rack, for officious interference.* Thus at laſt was the whole body of the Iriſh Catholic nobility and gentry compelled, for ſelf-preſervation, to unite in a regular ſyſtem of defence; which to this day is moſt unwarrantably and unjuſtly ſtiled, an odious and unnatural rebellion. Nothing can ſo emphatically demonſtrate the grounds and principles, upon which they aſſociated on this occaſion, as the oath of confederacy, by which they bound themſelves to each other: it is expreſſive of unqualified allegiance to the king, and contains an undertaking with life, power, and eſtate, to ſupport and defend the royal perſon, honors, eſtates, dignities, and prerogatives, againſt all impugners thereof, &c.;† which certainly favours more of royaliſm than rebellion.‡ It muſt indeed be acknowledged, that if England had been as early, ſincere, and zealous in reſiſting the uſurpation of theſe parliamentarian regicides as the Iriſh Catholics, the cataſtrophe of Charles, with all its conſequences, would have been avoided.

The king, conſidering the circumſtances of this general confederacy of the Catholics of Ireland, ſigned a commiſſion on the 14th of January, 1642, directed to the Marquis of Ormond, the Earls of Clanrickard and Roſcommon, Viſcount Moore, Sir Thomas Lucas, Sir Maurice Euſtace, and Thomas Bourke, Eſq. to meet the principal confederates (who had petitioned

* Lord Caſtlehaven eſcaped out of priſon, or probably would have undergone the ſame fate as Sir John Read.

† Vide the form of oath, Appendix, No. XXVI.

‡ Beyond the public notoriety of the conduct of the Catholics, if any one ſeek further proofs, at leaſt of their conviction that they were acting loyally, let him read Clanrickard's letter to the king, in which he vouches for the general conviction and loyal diſpoſition of his countrymen. The letter being very illuſtrative of the ſpirit and circumſtances of theſe times, is given in the Appendix, No. XXVII. Lord Caſtlehaven alſo, amongſt other reaſons for joining the confederates, alledged the following. " I began to conſider the condition of the kingdom, as that the ſtate did chiefly " conſiſt of men of mean birth and quality, that moſt of them ſteered by the influence and power " of thoſe who were in arms againſt the king, that they had by cruel maſſacring, hanging, and " torturing, been the ſlaughter of thouſands of innocent men, women, and children, better ſub- " jects than themſelves; that they by all their actions ſhewed that they looked at nothing but the " extirpation of the nation, the deſtruction of monarchy, and, by the utter ſuppreſſion of the an- " cient Catholic religion, to ſettle and eſtabliſh Puritaniſm. *To theſe I could be no traytor.* Def. " Cur. H. 2 vol. p. 132. This is confirmed by the anſwer of the confederated Catholics, to commiſſioners ſent from the juſtices, who in their commiſſion had uſed the term *odious rebellion*; amongſt other things, they ſay: " We take God to witneſs, there are no limits ſet to the ſcorn and " infamy that are caſt upon us; and we will be in the eſteem of loyal ſubjects or die to a man."

his

his majeſty to liſten to their grievances) to receive, in writing, what they had to ſay or propound. The Marquis of Ormond was a man of perſonal intrepidity, ſome military knowledge, and very extenſive ambition; imperious, haughty, vindictive, and impatient of control: he was ſo implacable to the Catholics, that in his hatred to them, he not only contravened the commands and wiſhes of his royal maſter, but baſely deſcended to execute the ſanguinary orders of his determined enemies.* So in lieu of complying with the pacific orders of this commiſſion, he prefered the injunction of a committee† from the Engliſh parliament, to march with an army of 5500 foot and 500 horſe, towards Roſs. In this expedition, near 1000 of his countrymen loſt their lives. He was the only one of the commiſſioners who did not attend the confederates at Trim; where they delivered to the reſt of the king's commiſſioners, a very full remonſtrance of all their grievances, which was accepted, and by them tranſmitted over to his majeſty.‡

In conſequence of this remonſtrance, which it appears ſtrongly affected the king, his majeſty informed the lords juſtices, that he had authoriſed the Marquis of Ormond to treat with his Iriſh ſubjects, who had taken arms, for a ceſſation of hoſtilities for one year: "which as it was a ſervice of very "great concernment to his majeſty, and his preſent affairs in both kingdoms, "ſo he willed and commanded, that they would therein give the moſt "effectual aſſiſtance and furtherance to advance the ſame by their induſtry "and endeavours as there ſhould be occaſion." Sir William Parſons was ſuperſeded, indicted for high crimes, miſdemeanors and treaſonable prac-

* It was well known to Ormond, that this committee was ſent from the Engliſh parliament againſt the king's expreſs commands. On his way, Ormond took the caſtle of Timolin, which, after an obſtinate reſiſtance, ſurrendered; and although he had promiſed quarter to the garriſon for their gallant defence, yet he ſuffered them all to a man to be butchered in cold blood, after they had ſurrendered their arms. And on the very day on which the other commiſſioners received the remonſtrance from the Catholics at Trim (viz. the 17th of March, 1642), he attacked and routed the forces of General Preſton, and killed 500 of them. Blood and devaſtation marked his progreſs to and from Roſs.

† "This committee conſiſted of *Reynolds* and *Goodwyn* ſent over by the Engliſh Houſe of Com-"mons, were ſettled at Dublin, and they took upon them the direction of all public affairs: they "were allowed by the lords juſtices, without any leave from the king, to ſit in privy council; and "their opinion governed the whole board." *Warn. p.* 231.

‡ For this curious and authentic document, vide Appendix, No. XXVIII.

tices,

tices, and particularly for having been the principal oppoſer of the ceſſation. A new commiſſion was iſſued to Sir John Borlaſe and Sir Henry Tichborne, to be lords juſtices. The latter was expreſsly appointed, as being conſidered to favour the ceſſation. Ormond, as I have before obſerved, uniformly gave into every meaſure that could fruſtrate the deſigns, or weaken the power of the Catholic party. He was appointed after many delays, and a ſecond command from the king (the firſt having been diſobeyed) by the lords juſtices to meet the commiſſioners of the Catholic confederates, at Caſtle Martin, on the 23d of June, 1642. Here he gave unequivocal proofs of his ſanguinary diſpoſition towards his Catholic countrymen, and of the little deference he paid to the commands and moſt earneſt wiſhes of his royal maſter, when they croſſed the views either of his ambition or revenge. The day before he ſet out upon this reluctant and painful commiſſion for negociating the ceſſation of arms, which the king had twice peremptorily commanded, he ſummoned before the council board ſome of the moſt ſubſtantial citizens of Dublin of the Proteſtant party, and delivered to them a written propoſal, that if 10,000*l.* might be raiſed, the one half in money, the other in victuals, and to be brought in within a fortnight, he would in that caſe proceed with the war, endeavour to take Wexford, and break off the treaty for the ceſſation. This diſloyal oppoſition made to the king's wiſhes and commands by Ormond, is placed in a more ſtriking view by the narrative of Sir Henry Tichborne,* one of the new juſtices, then preſent at the council, than by the words or repreſentations of any other cotemporary or modern writer. In his hiſtory of the ſiege of Drogheda, he tells us, that "the ceſſation intended was ſo diſagreeable to the Iriſh privy council, "that moſt of them deſired to run any fortune and extremity of famiſhing "rather than yield unto it. And I moved the board (there being twenty-

* There muſt have been ſomething extraordinary in the character of this gentleman. Dr. Leland ſays (3 vol. p. 202), that he was a man of unexceptionable character, and zealouſly devoted to the king's ſervice. He continued, however, to ſerve under Cromwell: and yet in 1666 the commons voted an addreſs to the Duke of Ormond, in which they prayed, that in conſideration of Sir Henry Tichborne's many and great ſervices during the rebellion of 1641, ſome extraordinary mark of favor ſhould be placed upon him, ſo as to deliver over to poſterity the gracious ſenſe which his majeſty had of his ſufferings and ſervices, and the grateful memory which the houſe retained thereof. 2 *Com. Jour.* We ſhall have occaſion hereafter to remark this myſterious favor to the Cromwellians. Sir Henry appears to have written with the blunt frankneſs of a ſoldier; not even palliating his own miſconduct.

one

" twenty-one counſellors preſent), that every one for himſelf, out of his " peculiar means and credit, ſhould procure 300*l.* which amongſt them all " would raiſe 6300*l.*; for even with that, he (Ormond) offered to undertake " the work, and that there ſhould be no further mention of a ceſſation " amongſt them. But this motion of mine finding no place, the ceſſation " began to be treated on, and was in ſincerity of heart as much hindered " and delayed by me as was in my power." I have judged it neceſſary to ſay thus much of Ormond's conduct towards his king and country, in order that the principal part which he performed in the tragic ſcenes of Iriſh troubles may appear in the true light. Ormond uſed every engine to prevent the ceſſation from taking place: he received the commiſſioners of the confederates with the moſt imperious contempt, indignantly calling for the authority by which they appeared; upon which they gave him a copy of the authority they had received from the ſupreme council of the confederate Catholics at Kilkenny.* He then took occaſion to conteſt their title, and queſtion the facts preſumed or referred to in their authority; and peremptorily rejected the condition inſiſted upon by the confederates, of the diſſolution of the preſent, and the calling of a new parliament; although the king had, in a letter of the 2d of July, 1643, to the lords juſtices and the Marquis of Ormond, authoriſing them to conclude this ceſſation with the confederates, expreſsly commanded them to aſſure the Iriſh in his name, that he was graciouſly inclined to diſſolve the preſent parliament, and call a new one between that and the 10th of November following. But it ſeems

* This authority is to be ſeen in the Appendix, No. XXIX. It is an additional proof, that the confederates openly profeſſed themſelves, in defiance of all obloquy and calumny, as faithful to the king; which appears again more pointedly in the anſwer they ſent to the lords juſtices and council, who in the tranſaction of treating for the exchange of a priſoner, had uſed the words *rebels*, highly reſenting this inſult upon their loyalty.

" WE do not know to whom this certificate is directed; for we avow ourſelves in " all our actions to be his majeſty's loyal ſubjects. Neither ſhall it be ſafe hereafter, for any " meſſenger to bring any paper to us, containing other language than ſuch as ſuits with our duty, " and the affections we bear to his majeſty's ſervice. Wherein ſome may pretend, but none ſhall " have more real deſires, to further his majeſty's intereſts, than his majeſty's loyal and obedient " ſubjects.

Signed, " MOUNTGARRETT,
" MUSKERRY," &c.

that

that Ormond was as determined in his diſobedience to all his majeſty's commands that tended to relieve his Catholic ſubjects of Ireland, as the ſtaunchest parliamentarian of that day.* By theſe contrivances, the ceſſation was ſuſpended; and it was not until the fifth letter† from his majeſty to Ormond (viz. on the 7th of September, 1643), that his moſt preſſing commands upon this ſubject were ultimately ſubmitted to.

Notwithſtanding Ormond's deteſtation of the Catholics, he was no leſs than his royal maſter moſt ſtrongly convinced of their immoveable loyalty and zealous attachment to the crown: he exceeded therefore his commiſſion in treating with their commiſſioners, for a pecuniary ſupply for that very army with which he had recently committed ſuch cruelties and outrages upon the inhabitants of the Pale. He procured from them a voluntary payment of 30,000*l.* and a reinforcement of ſome thouſands of their beſt men for his majeſty's army in Scotland, who afterwards proved an honor to their nation, and rendered eſſential ſervice to the royal cauſe. Both Leland and Warner, the avowed encomiaſts of Ormond, prove, to demonſtration, the perſonal oppoſition he conſtantly made to the ceſſation, in deſpite of the will and commands of the king; for pending the treaty, which it evidently was his duty to conclude not by the ſword, but by negociating, he is repreſented as attributing the confidence of the commiſſioners in treating, to the proſperous ſituation of their army, and is made to conclude, that ‡ " any advantage " gained by the king's forces muſt abate their pride: he therefore deter- " mined to ſuſpend his negociation, and, if poſſible to force Preſton to an " engagement. This general cautiouſly retired before him. Ormond was " not ſufficiently provided to purſue him: the dread of famine ſoon forced " him to lead his army back to Dublin: abundantly convinced by this " experiment, that the army and Proteſtant ſubjects of Ireland were to be " reſcued from deſtruction only by a ceſſation of hoſtilities.——§The king

* So determinately bent was Ormond upon preventing this ceſſation, that he ſent Sir Philip Percival to England to oppoſe it: and he did oppoſe it with ſuch virulence, that Sir George Ratcliffe told the Marquis of Ormond on that occaſion, that had he not been recommended by his lordſhip, he would have paſſed at court for a round head: and he did in fact ſoon after join the Engliſh rebels.

† Theſe different letters, which ſhew the king's eagerneſs for the peace, are to be ſeen in the Appendix, No. XXX.

‡ 3 Lel. p. 206. § Ibid. p. 207.

" was impatient for this event: he renewed his orders and inſtructions for " a ceſſation: he now deemed it neceſſary to ſhew ſome condeſcenſion to " the Iriſh confederates: he expreſſed an inclination to call a new parliament " in Ireland, and to permit their agents to treat with him on this buſineſs, " and whatever elſe might conduce to a juſt, honorable, and perfect peace. " To terrify and confound all oppoſition to his favorite ſcheme, Parſons, " Temple, Loftus, Meredith, the great partiſans of the Engliſh parliament, " were accuſed of high crimes and miſdemeanors, and by his order com- " mitted to cloſe cuſtody." Whatever dupes or victims the Iriſh were at this time made to the ſelfiſhneſs or intrigues of the king or his ſervants, nothing certainly can rob them of the merit of returning harſhneſs, ſeverity and deceit, with unparalelled duty, attachment and loyalty to their ſovereign, who then intended to make peace with them, as Warner informs us, " not " out of any favour, or to ſhew countenance to them, as ſome of his enemies " ſuggeſted, and others believed, but to ſtrengthen himſelf againſt the par- " liament with the Iriſh army." If King Charles, in the diſtreſsful ſituation of his affairs in England and Scotland, could ſo inhumanly wanton in the ungrateful principles of his family, as to reward the moſt unſhaken and perſevering loyalty of his Iriſh ſubjects, by perſecuting them at home, and drawing their blood and treaſure for his own purpoſes abroad, we ſhall be little ſurpriſed at the falſe and double part he continued to play upon them during the remainder of his life. The plain diſcloſure of truth is a debt of juſtice which the faithful hiſtorian is called upon to acknowledge and diſcharge to the Iriſh nation, not only to ſhield her from the ſhafts of malevolence and envy, but more particularly to inſpire Great Britain with plenary confidence, that the loyalty, zeal, and fidelity of that nation, with which ſhe has united, are not to be withdrawn from the Britiſh ſovereign by ſeduction, menace, treachery, or invaſion foreign or domeſtic.

Scarcely was the treaty for the ceſſation ſigned, ere it was formally rejected by the Northern army, which as well as the reſt of the king's forces in Ireland, was under the command of Ormond. This was immediately followed up by their taking the covenant:* and even ſuch of the Engliſh army as had

* The Engliſh parliament ſent Owen O'Conolly, who had received the commiſſion of a captain, and a penſion for having been the firſt informer of the grand rebellion, to preſs the covenant upon the army; and the fruits of his miſſion were moſt rapid and extenſive: for immediately upon his

had formally acceded to the ceſſation, offered their ſervices to follow Monroe, whenever he ſhould march againſt the Iriſh. About the ſame time, Lord Inchiquin openly revolted againſt the King, by accepting the preſidency of Munſter from the parliament, in which province there were no bounds to his cruelty: he cauſed to be adminiſtered to each of his followers, an oath for the extirpation of Popery and extermination of the Iriſh. The ceſſation was conſidered by the parliament of England as ſo deſtructive of the Proteſtant intereſt, that they immediately made a declaration againſt it: in anſwer to which, his majeſty publiſhed, *The Grounds and Motives of the Ceſſation*, for which he ſays, "there was an abſolute neceſſity, as preparatory "to a peace; which nevertheleſs he would never admit, unleſs it were ſuch "a peace as might be agreeable to conſcience, honor, and juſtice." The confederates ſent over ſo many and ſuch ſeaſonable ſupplies to the king, and theſe Iriſh troops behaved with ſo much zeal and valor in the royal cauſe, that the Engliſh parliament on the 24th of October, 1644, publiſhed this bloody ordinance, "that no quarter ſhould be given to any Iriſhman or "Papiſt born in Ireland, that ſhould be taken in hoſtility againſt the par-"liament, either upon the ſea or in England or Wales." The hoſtilities after this daily committed on the confederates by Monroe in Ulſter, Sir Charles Coote in Connaught, and Lord Inchiquin in Munſter, in breach of the ceſſation, drove them to preſent a ſtrong petition to the Marquis of Ormond, now made lord lieutenant of Ireland, either that he would put himſelf at their head, or permit them to employ their forces againſt thoſe, who by violating the armiſtice, had avowed themſelves open enemies to his majeſty.* But the inveteracy of the lord lieutenant againſt the Catholics, prevented him from ſeconding what he knew to be the intereſt, the wiſh, and the commands of his royal maſter, becauſe his compliance or obedience would have promoted the welfare of the Catholics. For although

his landing all the Scotch and moſt of the Engliſh officers of the northern army took the covenant: Carte indeed informs us, that Ormond had it in command from his majeſty to ſend down a proclamation to all the colonels to forbid it, but they would not publiſh it for fear of Monroe, as they alledged. Captain Conolly ſoon joined the parliamentarian rebels and was by them promoted to a colonelcy.

* Lord Digby in a letter to Ormond frankly admits on this occaſion that it was underſtood, that if the Scots ſubmitted not to the ceſſation, "they then ſhould be declared againſt as open ene-"mies." (Cart. Orm. vol. 3. p. 346.)

on this occaſion he confeſſed that by accepting the command of the army of the confederates "he might have drawn their dependance upon him, and "been able to diſpoſe of their forces according to his majeſty's pleaſure for "the advantage of the ſervice either in Ireland or elſewhere;"* yet he declined putting himſelf at their head for this reaſon, that he ſhould† in that "caſe be ſuddenly and totally abandoned by the Proteſtants." An unequivocal teſt of the loyalty of the Iriſh nation to King Charles. The great queſtion upon this part of the Iriſh hiſtory is, whether the confederated Catholics were at this period rebels or royaliſts. His majeſty anxiouſly wiſhed his Catholic ſubjects of Ireland to be fully admitted into his favour and protection, as placing the utmoſt reliance upon their fidelity and zeal to ſerve him. The teſtimony of their ſovereign on this occaſion goes great lengths. He had not only by ſeveral letters ſtrongly recommended to Ormond, but ſtrictly commanded him to *conclude a peace with his Iriſh Subjects, whatever it coſt.*‡ And yet the virulence of this imperious governor, who commanded an uncommon ſway over his royal maſter, againſt his Catholic countrymen was ſuch, that for three or four years he artfully contrived to delay the peace, notwithſtanding the king's moſt preſſing and poſitive commands, until it were rendered unavailing by the ceſſation of the exerciſe of the royal authority after the impriſonment of his majeſty's perſon in the year 1646.

Whatever allowances may be made to the preſſure of diſtreſs and calamity, hiſtorical juſtice is a debt due to nations; for which delicacy even to a crowned head is no diſcharge. The Iriſh were openly, ſincerely, and determinately attached to the cauſe of their ſovereign: of this their ſovereign was ſenſible: though according to the principle of his family, he ſacrificed their affection and loyalty, to the intrigues of his open and ſecret enemies. The king had full reliance upon the fidelity of his Catholic ſubjects of Ireland: and at that time depended more upon their ſuccours and ſubſidies, than upon thoſe of any other of his ſubjects: he was fully apprized of the

* Carte Orm. 3 vol. p. 322.

† Ibid. p. 322. "If ſays he, I take the charge of their army upon me, or denounce immediately "an offenſive war againſt the Scots, not ten Proteſtants will follow me, but rather riſe as one man "and adhere to the Scots."

‡ Vide the ſeveral different letters from the king to Ormond upon this ſubject, App. No. XXX.

prejudices

prejudices of Ormond againſt their religion;* and rather than aſſume a manly and candid line of conduct towards them, deſcended to debaſe the royal character, by duplicity and an unconſtitutional ſtretch of the royal prerogative. That the king knew, and was ſatisfied with the end for which his Catholic ſubjects had confederated, cannot be queſtioned: for on the 12th of March 1643, he wrote to Ormond concerning the *very eminent good ſervice* of Antrim, and Daniel O'Neile, two powerful Catholics in the north: "only one thing I thought neceſſary earneſtly to give you in charge myſelf: "which is, that you will unite yourſelf in a ſtrict and entire correſpondence "with Antrim, and contribute all your power to further him in thoſe ſer- "vices, which he hath undertaken; for I find that almoſt that whole "kingdom is ſo much divided betwixt your two intereſts, that if you join "in the ways, as well as *in the end for my ſervice*, you will meet with ſmall "difficulties there, which I no way doubt, being thus recommended "by your aſſured friend, Charles R." Neither can it be doubted, but that the king wiſhed and endeavoured to ſupport and ſtrengthen the confederacy of his Catholic ſubjects in Ireland, which evidently clears them of all poſſible guilt of rebellion or treaſon againſt their Sovereign. What poſterity may judge from the king's conduct, is for thoſe to determine who may know what it really was. The king having nothing more at heart, than peace with, and aſſiſtance from his Catholic ſubjects, whom he now alone confided in, adopted two meaſures, by which they were deluded, his Proteſtant ſubjects deceived, and his own intereſt conſiderably weakened.

Thwarted and provoked as Charles was at the inexorable firmneſs of Ormond, in reſiſting, neglecting, or counteracting all his efforts and wiſhes to ingratiate himſelf with the confederated Catholics, yet he had the weak-

* Ormond made no ſecret of this deteſtation of Popery either to the king or his ſervants: in a letter to Lord Digby, (C. Orm. 3 v. p. 534) he ſays: "one thing I ſhall beſeech you to be careful "of, which is to take order, that what ſhall be directed to me touching theſe people (the Catholic "confederates) if any be, thwart not the grounds I have laid to myſelf in point of religion: for in "that, and in that only, I ſhall reſort to the liberty left to a ſubject, to obey by ſuffering." The king's letters to Ormond ſhew how much hurt his majeſty was by this diſobedience of Ormond: they riſe gradually from recommendation, to anxious preſſing, to poſitive and peeviſh commands. *I command you to conclude a peace with the Iriſh, coſt what it may.* And laſtly—*I abſolutely command you without reply, to execute the directions I ſent you on the 27th of February laſt:* which were to make peace even without the council. C. O. 3 v. p. 431.

neſs

neſs to encourage Ormond, whom he thought agreeable to the Proteſtant intereſt, even in the very acts of reſiſtance and diſobedience to his own commands. He even attempted to make him the vehicle of communicating to them the unconſtitutional reſolution of diſpenſing with all the penal laws againſt the Catholics, till they ſhould be abrogated and repealed by parliament.* "A peace with the Iriſh is moſt neceſſary for my affairs in "England, wherefore I command you to diſpatch it out of hand. And "I do hereby promiſe them, and command you to ſee it done, that the "penal laws againſt the Roman Catholics ſhall not be put in execution, "the peace being made, and they remaining in due obedience. And fur-"ther, when the Iriſh give me that aſſiſtance, which they have promiſed, "for the ſuppreſſion of this rebellion, and I ſhall be reſtored to my rights, "I will conſent to the repeal of them by a law."† In another letter written to the lord lieutenant within ten days, the king aſcended to the moſt imperative tone, "I do therefore command you to conclude a peace with "the Iriſh, whatever it coſt: though I leave the management of this great "and neceſſary work *entirely to you.*"‡ Ormond appears ſo well ſatisfied with diſobeying theſe commands of his royal maſter, that he boaſted in a letter to the king, "that§ he treated with theſe commiſſioners in ſuch a "manner and gave them ſuch anſwers, as might let them conjecture he "had directions to the contrary."‖ He attributed his pertinacity in endeavouring to renew the war, in lieu of making peace, to the inflexible reſolution of the council in Ireland never to treat with the confederates, although he had in the preceding December received unlimited power from his majeſty, (who foreſaw the difficulties that would ariſe from that quarter) "to ſequeſter from the council board ſuch members of it as he "did not approve of." Nay, it will even be found by thoſe who look

* The Lord Chief Juſtice Herbert and others, who wrote in ſupport of the royal prerogative of diſpenſing with penal ſtatutes, contended only for it in particular caſes: and ſuch certainly was the ancient prerogative of the crown, though moſt wiſely abridged at the revolution. But this was an attempt to counteract the whole ſtatute law by royal proclamation, which no other ſovereign had ever pretended to.

† Let. to Orm. on the 18th of February 1644. S. C. Orm.

‡ Ibid. Let. of 27th of February 1644.

§ Ibid.

‖ The confederates were apprized of his majeſty's commands to Ormond, by their agents Lord Taaffe, Mr. Burke, and Mr. Brent, who then were with the king.

impartially

impartially into the authentic annals of thoſe days, that Ormond was at that time negociating a treaty with the rebellious army of the Scots in Ulſter to join his forces in renewing hoſtilities againſt the confederates.

The king being fearful, that the harſhneſs of Ormond towards the Catholics, and his inflexible reluctance to obey any commands favorable to them, ſhould alienate their attachment to the royal cauſe, endeavoured to effect by the ſecret influence of his authority over thoſe, who ever reſpected it, what the inſincerity of his character prevented him from openly avowing. King Charles in his troubles, had experienced the moſt prominent zeal and ſignal ſupport from the Marquis of Worceſter, who had expended above 150,000*l.* (an immenſe ſum in thoſe days) of his perſonal fortune in raiſing and maintaining 1500 foot, and 500 horſe at his own expence. That family was then Catholic: and the king placed an extraordinary confidence in the fidelity and zeal of his eldeſt ſon Edward Somerſet, Lord Herbert, whom he created Earl of Glamorgan. Being of the ſame religion as the Catholic confederates, his majeſty undertook to avail himſelf of the influence, which he conceived this circumſtance coupled with his connections in Ireland (he was married to Lady Margaret O'Bryen, daughter of the Earl of Thomond) muſt naturally give him, as early as the 1ſt of April 1644, granted him a patent* of very extraordinary powers, which ſeemed to be eſpecially calculated to overawe or counteract the powers of Ormond, which the king thought proper to continue, though he evidently miſtruſted the uſe, which Ormond would make of them. In about ten months from the granting of this patent, viz. on the 6th of January 1644,† the king granted a commiſſion under the great ſeal to the Earl of Glamorgan for levying any number of men in Ireland, and other parts beyond ſeas, commanding them, putting officers over them, making governors in forts and towns, giving him powers to receive the king's rents, &c. This was again followed up by two other commiſſions for extending and enlarging his powers, *even avowedly beyond the law*; ſhould circumſtances call upon him to uſe a vigor of that nature: and to do that, in which his lieutenant could not ſo well be ſeen, as not fit for his majeſty then publicly to own. In theſe he pledged the honour of a king and a Chriſtian, to ratify whatever

* Vide this patent App. No. XXXI.

† N. B. Old ſtile.

Glamorgan

Glamorgan ſhould think fit to grant to the confederates under his hand and ſeal: the ſaid confederate Catholics having, ſaid he, "*by their ſupplies* "*teſtified their zeal to our ſervice.*"* If then the confederates were thus eminently acknowledged by their ſovereign to be zealouſly engaged in his cauſe, the ſuccour, aids, and aſſiſtance, which they endeavoured under the exiſting circumſtances to draw from the King of Spain, the court of Rome, or afterwards from the Duke of Lorrain, cannot evidently be laid to the account of a traiterous and rebellious diſpoſition in the Iriſh againſt their ſovereign, for the king himſelf both petitioned, and actually received conſiderable ſuccours from the ſame quarter.†

Still were theſe confederates made the dupes and victims of the duplicity of Charles, redoubled upon them by the malevolent intrigues of Ormond, who on this occaſion profeſſed loyalty, whilſt he practiſed diſobedience to his royal maſter, and pretended a confidence in Glamorgan and the confederates, whilſt he was planning the ruin of both. The confederates were through the inſinuations of Ormond, prevailed upon (though againſt the advice of the pope's agent and nuncio) to make peace *publickly* with the Marquis of Ormond, and *privately* with the Earl of Glamorgan, diſjoining the *religious* from the *political* articles. The letter, which Ormond had written to Lord Muſkerry‡ expreſſive of his readineſs to concur with Glamorgan in every thing, which the latter ſhould undertake for his majeſty's ſervice, was conſidered by the confederates at large as a ſolemn pledge on behalf of the king's lieutenant, § "and was delivered to the nuncio "by the ſupreme council of Kilkenny as a proof, that the Marquis of "Ormond would ſupport the agreement, which had been, or ſhould be

* For the two latter commiſſions vide App. No. XXXII. Whatever objections may be made to the propriety of theſe grants on behalf of the crown, they prove beyond queſtion that the Iriſh Catholic confederates were properly at leaſt now termed *royaliſts*—but *Quidquid delirant reges plectuntur Achivi.*

† This fully appears from the king's letter to the archbiſhop of Ferms dated from Oxford, April 30th, 1645: and alſo from a letter from Cardinal Pamphilio to the queen at Paris, accompanied by a brief from the pope to the like purport, dated March the 2d, 1645. For the two letters vide App. No. XXXIII.

‡ See Ormond's letter to Lord Muſkerry dated on the 12th of Auguſt, 1645, Appendix, No. XXXIV.

§ An Enquiry into the Share which Charles I. had in the Tranſactions of the Earl of Glamorgan: p. 64.

"made

" made between them and the Earl of Glamorgan, though the marquis " afterwards diſappointed their expectations." The general aſſembly of the confederates which met at Kilkenny on the 6th of March, 1645-6, diſpatched Lord Muſkerry and other commiſſioners to Dublin, publicly to conclude the peace with the Marquis of Ormond, and it was accordingly concluded on the 28th of the ſame month, 1646. But the *ſecret* treaty had been concluded with the Earl Glamorgan on the 25th of the preceding month of Auguſt; the conditions of which chiefly related to the toleration of the Catholic religion, and the ſending over ſubſidies to the king in England.* It happened in the mean time, that the particulars of this ſecret treaty became public,† and Ormond jointly with Lord Digby, although they well knew the commiſſion and authority, under which Glamorgan acted, had him indicted of high treaſon for forging or ſurreptitiouſly obtaining theſe very commiſſions, and his perſon was immediately committed to cloſe cuſtody. The diſcovery was inſtantly reported to parliament, and Charles baſely proteſted *upon the word of a king and a Chriſtian*, that he had never given to the Earl of Glamorgan thoſe commiſſions and powers, which he was then known by many, and now is known by all, to have repeatedly given. This colourable commitment of Glamorgan was not of long duration: he was diſcharged upon his own and the Earl of Kildare's recognizance; the confederates having peremptorily inſiſted upon breaking off the treaty for peace, until he ſhould be diſcharged.‡ Little can it be wondered

* As it may be intereſting to the reader to ſee how far the king rendered his royal faith, word, and authority, ſubſervient to his intereſt and wiſhes, I have given the preamble to the treaty, together with the conditions of it, in the App. No. XXXV.

† They were found upon the titular archbiſhop of Tuam, who was accidentally killed by the parliamentarian rebels before Sligo, who together with ſome of Ormond's forces, were in open hoſtility notwithſtanding the ceſſation and the then pending treaty for peace.

‡ Few inſtances of more Machiavelian policy occur in hiſtory, than in the conduct of Ormond, excepting that he never completely diſſembled his execration of the Catholics. Dr. Leland frankly admits, that notwithſtanding this colourable commitment, Ormond continued to regard Glamorgan as really entruſted by the king, and empowered to negociate in his name. In proof of this he favours us with the letter written to the Earl of Glamorgan ſoon after his diſcharge, the original of which he had in his poſſeſſion. (Vide App. No. XXXVI.) The ſame author adds, that both Ormond and Digby always regarded Glamorgan " as duly authorized by the king: and treated and " addreſſed him as a perſon ſtill enjoying the royal favour and confidence. And that he did ſtill

wondered at, that the confederated Iriſh after having been thus deluded and betrayed by their ſovereign, ſhould in their ſubſequent negociations require ſome more ſtable ſecurity for the performance of articles agreed to, than the word of a monarch ſo frequently violated in their regard. Under theſe circumſtances, a very ſerious ground of difference, if not diſſention aroſe amongſt them, which retarded the concluſion of the peace, and greatly weakened their power: this internal diviſion of the Catholics was moſt actively fomented by Ormond. The nuncio and a conſiderable party of the confederates, objected againſt the concluſion of any peace, which had *future* conceſſion for its baſis: but there was no limitation to the confidence which the majority of them ſtill placed in *the promiſes of* the king and his lieutenant. Nevertheleſs, however divided they were upon this and ſome other leſs important points, they all unanimouſly to the laſt, adhered with inviolable attachment ſtaunch to the royal cauſe.* Whereas Ormond not only reſiſted their preſſing ſolicitations to lead them againſt the king's enemies, but the urgent importunities of his friend Lord Clanricard, to place himſelf at the head of the confederates and immediately proceed againſt Sir Charles Coote, and the other parliamentarian rebels, who were daily violating the ceſſation, and committing the moſt barbarous hoſtilities againſt the adherents to the royal cauſe: and finally even delivered up his ſword, the caſtle, and king's authority to the commiſſioners of the parliamentarian rebels.† In this diſgraceful

" enjoy them in a very high degree, there is direct and poſitive proof in thoſe letters extant " amongſt the Harleian manuſcripts, in which Charles aſſures him of the continuance of his " friendſhip, and promiſes *to make good all his inſtructions and promiſes to him and the nuncio.*" (3 Lel. 283, 4, 5.) Vide ſome of theſe letters in Appendix No. XXXVII

* With reaſon then did King Charles expreſs himſelf in a letter to Ormond only two days before the peace was concluded, that if the kingdom of Ireland were in perfect obedience, " it is poſ- " ſible it may pleaſe God to reſtore me to the other two, or be a ſafe retreat for myſelf." (C. O. 3 vol. p. 451.

† He had previouſly boaſted to Colonel Leyburne who had come over with a confidential commiſſioner from the king, " that if there ſhould be a neceſſity, he would give up thoſe places under " his command to the Engliſh rather than the Iriſh rebels, of which opinion he thought every good " Engliſhman was." Immediately before Ormond delivered up the ſword to the parliament commiſſioners, Alderman Smith, then Mayor of Dublin, aged near eighty years, a man of great integrity and loyalty, came to the council table, and acquainted my Lord of Ormond, that it was generally reported in town, and ſpread ſo far as no man doubted it, that his excellency intended to deliver up the government to the parliament: that he came to acquaint his lordſhip, that himſelf was entruſted with

diſgraceful negociation with parliament, Ormond acted with full reflection, and with the moſt intereſted views to his own domeſtic concerns; having ſtipulated with them for the price of his baſe ſurrender, viz. 5000l. in hand, 2000l. a year for five years ſucceſſively, and a total releaſe and diſcharge of all incumbrances upon his eſtates (which were very heavy) up to the time of the inſurrection. The ſpirit and motive with which he thus infamouſly betrayed the truſt and authority of his royal maſter, appear more fully from the conduct of the Iriſh parliament, which was then ſitting, towards him. Both houſes addreſſed to him a vote of thanks for his excellency's treaty with the Engliſh rebels: in which they ſet forth, that his proceedings therein being ſuch a free earneſt of his excellency's love to their religion, nation and both houſes, did incite them to come unto him with hearts filled with his love, and tongues declaring how much they were obliged unto his excellency. And that in order to perpetuate unto poſterity the memory of his excellency's merits, and their thankfulneſs, they had appointed that inſtrument to be entered into both houſes, and under the hands of both ſpeakers to be preſented to his lordſhip. To which addreſs, his excellency anſwered, that this acknowledgment of theirs was unto him a jewel of very great value, which he ſhould lay up amongſt his choiceſt treaſures: it being an antidote againſt the virulency of thoſe tongues and pens, he was well aſſured would be buſily ſet to work to traduce and blaſt the integrity of his preſent proceeding for their preſervation.* Soon after theſe parliamentary compliments had paſſed between the Iriſh houſes of lords and commons, and their lord lieutenant, his lordſhip was ignominiouſly expelled from the caſtle, ſooner than he intended to quit it, by the Engliſh committee, and forced to tranſport himſelf to England.†

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with the king's ſword of the city, and that he would not reſign it to rebels. Whereupon my Lord of Ormond gave him ſome check and ordered him to withdraw: but upon further conſideration his lordſhip and the council thought fit to call him in again, and to commend him for the reſolution he had ſhewn in maintaining his majeſty's authority: and withall read a letter from his majeſty requiring the lord lieutenant to deliver up the ſword to the commiſſioners empowered by the parliament of England: whereupon he ſaid, he would ſubmit. (St. Let. from the Earl of Eſſex, p. 344.) To cover the turpitude of his own conduct, Ormond thus impoſed upon the lord mayor of Dublin, by reading either a forged or a forced letter from his majeſty, for had it been real he would have pleaded it in his own juſtification.

* Com. Journ. of Ireland.

† Before his departure the confederates again preſſed him (but in vain) to put himſelf at their

In this decline of the king's affairs the confederated Catholics met again at Kilkenny, where they took into conſideration, that his majeſty was in reſtraint, that all addreſſes to him were forbidden, and that ſome members of parliament who had ventured to ſpeak in his favour, were expelled, "therefore in that extremity," as they expreſs themſelves, "there being no "acceſs to his majeſty for imploring either his juſtice or mercy, all laws either "human or divine did allow the ſaid Catholics to take ſome other courſe, "in order to their defence and preſervation: not againſt his ſacred majeſty, "but againſt thoſe, who had laid violent hands on his perſon, who deſigned "to aboliſh the royal authority, and reſolved to deſtroy or extirpate the ſaid "Catholics."*

Ormond, to whoſe ambitious and ſelf-intereſted views there were no bounds, having been thus indignantly forced from his favorite ſeat of power into exile by the enemies of his royal maſter, whom he had hitherto moſt baſely favoured and courted, and wiſhing to uſe the unſhaken loyalty and ſeverely tried attachment of the king's firmeſt and beſt friends, as the inſtruments of his own revenge, diſſembled for the moment his implacable rancour to his Catholic countrymen, and affected with unqualified reſerve to place the depending fate of his royal maſter in their exertions. He landed at Cork on the 29th of September 1648, and notwithſtanding his inſulting, harſh and perfidious conduct towards the confederates, and his mercenary treachery in ſurrendering the royal dignity to the parliamentarian rebels, he was received with univerſal acclamation, and invited by the general aſſembly at Kilkenny to conclude a peace, and earneſtly join with the nation at large in making head againſt the parliamentarian rebels, who by their principles were generally engaged, and by the covenant were particularly ſworn, to deſtroy monarchy, aboliſh the hierarchy and extirpate the Catholic religion. He was received in triumph at Kilkenny on the 28th of October 1648, having been met at ſome diſtance from the town by the whole body of the aſſembly and by all the nobility and gentry in the neighbourhood: he was received

head in ſupport of the royal cauſe: he had ſcarcely arrived in England, when he was forced to fly to France, having been informed that a warrant had iſſued for apprehending his perſon from the very perſons to whom he had made the baſe and mercenary ſurrender of his high truſt, dignity and power in Ireland.

* Walſh's Reply to a Perſon of Quality.

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in the town by the mayor and aldermen with all the honors, ceremony and etiquette, which ſuch corporate bodies uſually ſhew to the ſupreme authority in the kingdom, and he was lodged in his own caſtle with his own guards about him. Still did Ormond pertinaciouſly perſevere in rejecting every condition of peace propoſed by the confederates that related to a toleration of the Catholic religion and the repeal of any of the penal laws. During this protraction of the peace, the treaty was interrupted by the open defection of Inchiquin's army and their declaration againſt the king: Ormond had ever been intimate with this nobleman, and he now took the occaſion of ſuſpending the definitive treaty, under the pretext of giving ſatisfaction to Inchiquin and his leading officers. Notwithſtanding the confederates well knew the inſtructions, which the king had given to Ormond reſpecting the free exerciſe of their religion, yet to the end he ſuppreſſed the extent of his powers; and abſolutely refuſed ultimately to allow, what he well knew his majeſty had moſt ſolemnly pledged himſelf to grant: and he immediately after boaſted in a letter to Sir Charles Coote, "*that the advantages, which the Romiſh "profeſſors are ſuppoſed to have in point of religion or authority, are no "other but pledges from his majeſty's confirmation of the other conceſſions "and are to determine therewith."

We have ſeen how earneſtly the king had long wiſhed for and how peremptorily he had commanded Ormond to make peace with the confederates. The conſequences therefore, which enſued the protractions of that event evidently lay at his door, who cauſed the delays: it was only concluded on the 17th of January 1648, a fortnight before the tragical end of that unfortunate monarch. And Carte obſerves, that "†the news of the concluſion of this "peace did not reach England ſoon enough to deter the execrable authors of "the murder of their king from perpetrating a villainy, which how long ſoever "they had intended it, they durſt not attempt to execute, till they thought "themſelves ſecure of impunity by being abſolute maſters of Great Britain "without any conſiderable force in any part of theſe nations to oppoſe their "meaſures or take vengeance on their crimes." Had Ormond been actuated by any ſenſe of the welfare of the ſtate, by any regard to the preſervation of the conſtitution, by any zeal for the ſupport of his own religion, by any real attachment or even common loyalty to his ſovereign, he could not have boaſted

* 2 Vol. Cart. Orm. p. 52.

† Ibid.

"as

as he did. "*And yet thoſe articles were not condeſcended unto, till all "hopes of the treaty then on foot in England between the king and the "parliament were overpaſſed, and the army were not aſhamed to proclaim "their purpoſe to commit an horrid and execrable murder and parricide on "the ſacred perſon of his majeſty. This (ſays he) we mention not as thereby "in the leaſt degree to invalidate any of the conceſſions made unto this peo- "ple, but on the contrary to render them in every point the more ſacred and "inviolable, by how much the neceſſity on his majeſty's part for the grant- "ing thereof is the greater, and the ſubmiſſion on their part to his majeſty's "authority, in ſuch his great neceſſity, more opportune and ſeaſonable: as "alſo to call to the world (and whomſoever either any peace at all or the "terms of this peace may be diſtaſteful unto) to teſtify hereafter, that as the "full benefit thereof cannot without great injuſtice and ſomewhat of ingra- "titude (if we may ſo ſpeak in the caſe of his majeſty with reference to this "laſt act of their's) be denied unto them, ſo any blame thereof ought to be "laid upon thoſe alone, who have impoſed the ſaid neceſſity, the ſaddeſt to "which any king was ever reduced."

Ormond was now reduced to look up to his former power and influence in Ireland through the exertions only of thoſe, whom he had uniformly perſecuted and oppreſſed. What ſhare he aſſumed to himſelf of the diſaſters of his royal maſter, by having ſo long deprived him of the aſſiſtance of his Catholic ſubjects cannot be known; but certain it is, that this awful moment of embarraſſment was the firſt, in which he made any avowal honorable or favorable to his Catholic countrymen. Beſides the reluctant, ungracious and half-penitent admiſſion of their perſevering attachment to the king in his utmoſt diſtreſs, he ſaid in a letter to Lord Digby, that "I muſt ſay for this people, "that I have obſerved in them great readineſs to comply with what I was "able to give them, and a very great ſenſe of the king's ſad condition."† And in another letter of the ſame date to the prince of Wales, he notices, "‡the very eminent loyalty of the aſſembly, which was not ſhaken by the "ſucceſs, which God had permitted to the monſtrous rebellion in England:

* 2 Orm. 2 vol. p. 52.

† This was written to Digby on the 22d of January 1648;—within a week of King Charles's death.

‡ Letter of the ſame date.

"nor

" nor by the miſchievous practices of the no leſs malicious rebels* in Ire-
" land."

It is no ſmall or unequivocal mark of the eminent loyalty and fidelity of the Iriſh Catholics, that at Charles's unfortunate execution, they formed the only compact national body throughout the extent of the Britiſh empire, who had preſerved untainted and unſhaken their faith and attachment to the royal cauſe, although they had been throughout his reign more oppreſſed, perſecuted and aggrieved by their ſovereign, than any other deſcription of his ſubjects whatſoever.† No ſooner were the melancholy tidings of the death of Charles I. conveyed to Ormond, who was then at Youghall, than he inſtantly proclaimed the prince of Wales king by the ſtile of Charles the Second.

* To theſe Ormond ſurrendered his ſword for 15000*l.*

† How little then did they merit the *votum candidum* of our impartial hiſtorian Sir Richard Cox? " How gladly would I draw a curtain over the diſmal and unhappy 30th of January, wherein the " royal father of our country ſuffered martyrdom! Oh! that I could ſay, they were Iriſhmen that " did that abominable fact, or that I could juſtly lay it at the door of the Papiſts! But how much " ſoever they might obliquely or deſignedly contribute to it, 'tis certain it was actually done by " others."

CHAP-

CHAPTER V.

THE INTERREGNUM AND REIGN OF CHARLES THE SECOND.

IN the firſt effervescence of the horror, which all conceived of the murder of King Charles, the Engliſh and Iriſh vied with each other, who ſhould be moſt zealous in their exertions againſt the parliamentarian rebels, whom they now denominated and treated as regicides. To this union were owing the firſt ſucceſsful movements of Ormond's campaign in the reduction of moſt of the ſtrong holds of the northern parts of the kingdom, except Dublin and Londonderry. The pride of Ormond ſtimulated him above all things to regain the poſſeſſion of Dublin, which he had by his own baſe treachery ſurrendered into the hands of the rebels. But the infamy of his giving it up for baſe lucre was aggravated by his diſgraceful defeat at Rathmines* by a very inferior force under Michael Jones, the rebel governor of the city. This ſhameful diſaſter, coupled with the ready ſubmiſſion of Inchiquin's men, who inſtantly enliſted in Jones's army, and ſeveral other circumſtances attending the conduct of Ormond on this occaſion, naturally renewed in the Iriſh their former ſuſpicions, that he had ſtill ſome ſecret underſtanding with the Engliſh rebels: and theſe ſuſpicions were ſtrengthened by the conſtant failure of all his ſubſequent undertakings againſt them.

The new king had explicitly written from the Hague, "that he had received and was extremely well ſatisfied with the articles of peace with the Iriſh confederates, and would confirm wholly and entirely all that was contained in them.† Notwithſtanding, after his majeſty had been proclaimed in Scotland, and had been adviſed by Ormond to accept of the commiſſioners invi-

* Rathmines is about three miles from Dublin. Carte ſays, that 1500 ſoldiers and 300 officers in this battle were taken priſoners, and about 600 ſlain and above half of them within the walls of Dublin after quarter had been given. Moſt of Inchiquin's men enliſted under Jones, 2 C. Orm. 81. According to Borlaſe, Ormond, after this ſhameful defeat, wrote to Jones for a liſt of his priſoners, who anſwered, "My lord, ſince I routed your army, I cannot have the happineſs to know where "you are, that I may wait upon you."

† Cart. Orig. Let. 2 vol. p. 363 and 367.

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tation to go over to that kingdom, well knowing that his taking the covenant was to be the previous condition of his being admitted to the throne of Scotland: he took ſhipping and arrived there on the 23d of June 1650. After having ſigned both the national and ſolemn covenant, in the ſhort ſpace of two months, the king publiſhed a declaration, "that he would have "no enemies but the enemies of the covenant: that he did deteſt and abhor "popery, ſuperſtition, and idolatry, together with prelacy: reſolving not "to tolerate, much leſs to allow thoſe in any part of his dominions, and to "endeavour the extirpation thereof to the utmoſt of his power." And he expreſsly pronounced the peace lately made with the Iriſh and confirmed by himſelf to be null and void: adding, "that he was convinced in his con-"ſcience of the ſinfulneſs and unlawfulneſs of it, and of his allowing them "(the confederates) the liberty of the Popiſh religion; for which he did "from his heart deſire to be deeply humbled before the Lord: and for having "fought unto ſuch unlawful help for the reſtoring of him to his throne." The publication of this declaration neceſſarily produced the effect, which Ormond himſelf foretold in a letter to ſecretary Long,* namely, "to withdraw this "people from their allegiance by infuſing into them a belief, that by his ma-"jeſty's having taken or approved of the covenant, they are deprived of the "benefit of the peace, and left to the extirpation the covenant propoſes both "of their religion and perſons."

Whatever party prejudice may alledge in charge, commendation, or defence of Ormond (no character was ever more partially repreſented) hiſtorical juſtice obliges us to aver, that the Catholic confederates (whatever differences had exiſted amongſt them) were unexceptionably † and moſt zealouſly devoted to the

* Written from Loughrea the 2d of September 1650: in this letter Ormond grievouſly complains of the rebellious diſpoſition of all the clergy and Catholic nobility (except Lord Clanrickard) and ſays that he expected that all who ſhould adhere to him thereafter, would be excommunicated. That all Ireland except Connaught was in the hands of the rebels. C. Orig. Pap. 458.

† In the courſe of what is called (very improperly) the grand rebellion in Ireland, the only party, which could properly, if at all be called rebels, were the adherents of Phelim O'Nial, who headed the native Iriſh Catholics in the North, and who, in the confuſion and heat of the internal diſſentions of the confederates, had been, together with the adherents of the Pope's nuncio, denounced as traitors againſt the royal authority, for reſiſting the peace of 1648, by the ſupreme council of Kilkenny. This Phelim O'Nial had been conſtantly charged with having forged a commiſſion from

the royal cauſe, in direct oppoſition to the rebellious regicides; that Ormond well knew the extraordinary fidelity of his Iriſh army, by acknowledging to his Majeſty, that many of the ſoldiers had ſtarved by their arms, *and he could perſuade one half of his army to ſtarve outright*; that after the diſgrace at Rathmines, Ormond never engaged, in perſon, Cromwell, Ireton, or Jones: that in a very ſhort time after the death of the late King, all Ireland, except the province of Connaught, was under the power of the rebels; that Sir Charles Coote (afterwards Lord Montrath) and Lord Broghill (afterwards Earl of Orrery) with the forces under their commands, and the whole Proteſtant army of the North, went over to the rebels; that when the royal cauſe had, under his adminiſtration, become deſperate and defenceleſs, he abandoned it in its agony, and ſecured his own perſonal ſafety, a ſecond time, by flight: that before his departure, he greatly ſtrengthened the rebel power, by* "permitting, as the Earl of Orrery expreſſed it, all thoſe worthy Proteſtants, "who till then had ſerved him, to come off to the reſt of the Proteſtants, "though then headed by Ireton himſelf, eſteeming them ſafer by that real "regicide,† ſo accompanied, than with thoſe pretended antiregicides, ſo "principled:"

the King, to levy war againſt the parliamentarians, or Engliſh Proteſtant army in Ireland; for in the beginning of the decline of the power of Charles I. theſe terms were (by the Iriſh at leaſt) conſidered ſynonymous. In the year 1652, a high court of juſtice (afterwards called Cromwell's ſlaughter-houſe, from the numbers of bloody ſentences pronounced in it) was inſtituted for trying *rebels and malignants*, which, in the revolutionary language of that day, meant *loyaliſts* and *royaliſts:* and alſo for the trial of all maſſacres and murders, committed ſince the 1ſt of October, 1641. The regicides brought Phelim O'Nial to trial in this court, hoping, as it appeared from their efforts, to affix upon the late King, the odious ſtigma of exciting the rebellion: and after his condemnation, they offered him his pardon and reſtitution of his eſtate, if he would acknowledge the genuineneſs of his commiſſion. But Phelim diſdained to ſave his life by a lie, that would have been injurious to that unfortunate prince: but he replied aloud, that in order to draw the people unto him (who were therefore loyal in their diſpoſition) he took an old ſeal from a deed, and put it to a forged commiſſion, in order to perſuade them, that what he did was by royal authority. But that he never had any real commiſſion from the King. The Biſhop of Kilmore aſſured Mr. Carte, that he was preſent at the execution, and heard this from the mouth of O'Nial.

* Anſwer to Walſh: where he alſo ſays, by way of appeal to Ormond himſelf, "Certainly he "eſteemed thoſe leſs ill, to whom he ſent his friends, than thoſe from whom he ſent them."

† The conduct of the leading characters in Ireland, at this critical period of the Iriſh hiſtory, has been uniformly repreſented in falſe colours, by all our hiſtorians. Not only hiſtorical praiſes, but royal and even legiſlative rewards have been laviſhed upon the moſt forward in the ſervice of the parliament.

" principled:" that he not only received the beforementioned price of ſurrendering Dublin and the ſword of ſtate to the rebels, but the Marchioneſs of Ormond

parliament. This Lord Broghill, who was afterwards created Earl of Orrery, acted for ſome time under the parliament, till ſhocked at the King's death, he quitted the ſervice of his regicide maſters, and retired to Marſton, a country ſeat he had in Somerſetſhire. There he formed a deſign to apply to Charles II. for a commiſſion to act in Ireland for the reſtoration of the crown, and the recovery of his own property. The account of this Lord Broghill's devoting himſelf to the ſervice of Cromwell, taken from his *Panegyriſt* rather than *Biographer* (Mem. of the Boyle family, 1737, p. 42.) is ſubmitted to the reader, as a ſpecimen of the affection and loyalty of the Iriſh Proteſtants of that day, to the cauſe of the unfortunate Charles I. " I have heard a certain great man, who knew the " world perfectly well, aſſert, that *a ſecret was never kept by three perſons.* His Lordſhip had in- " truſted his *ſecret* to more than *three;* and the Committee of State, who ſpared for no money to " get proper intelligence, being ſoon made acquainted with his whole deſign, determined to pro- " ceed againſt him with the utmoſt ſeverity. *Cromwell* was at that time General of the Parliament " forces, and a Member of the Committee. It is allowed by his enemies, that this wonderful man " knew every perſon of great abilities in the three kingdoms: he was conſequently no ſtranger to " Lord *Broghill's* merit; and reflecting that this young nobleman might be of great uſe to him in " reducing *Ireland,* he earneſtly entreated the Committee, that he might have leave to *talk* with " him, and endeavour to *gain* him, before they proceeded to extremities.—Having with great dif- " ficulty obtained this permiſſion, he immediately diſpatched a gentleman to the Lord *Broghill,* " who let him know that *the General, his maſter, intended to wait upon him, if he knew at what hour* " *he would be at leiſure.* The Lord *Broghill* was infinitely ſurprized at this meſſage, having never " had the leaſt acquaintance, or exchanged a ſingle word with *Cromwell.* He therefore told the " gentleman, that *he preſumed he was miſtaken; and that he was not the perſon to whom the General* " *had ſent him.* The gentleman readily replied, that *he was ſent to the Lord Broghill; and there-* " *fore if he was that Lord, that he was ſent to him.* His Lordſhip finding there was no miſtake in " the delivery of the meſſage, confeſſed that he was the Lord *Broghill:* he deſired the gentle- " man to preſent his humble duty to the General, and to let him know, that *he would not give him* " *the trouble to come to him, but that he himſelf would wait upon his Excellency, if he knew at what* " *hour it would be moſt proper for him to do ſo; and that in the mean time he would ſtay at home, to* " *receive his further commands.* The gentleman replied, that *he would return directly and acquaint* " *his General with what his Lordſhip ſaid.* The Lord *Broghill,* in the mean time, was under a " good deal of concern, at what ſhould be the meaning of this meſſage. He never once ſuſpected " that his deſign was diſcovered; but while he was muſing in his chamber upon what had paſſed, " and expecting the return of the gentleman, he ſaw *Cromwell* himſelf, to his great ſurpriſe, enter " the room. When ſome mutual civilities had paſſed between them, and they were left alone, " *Cromwell* told him in few words, that *the Committee of State were apprized of his deſign of going* " *over, and applying to* Charles Stuart *for a commiſſion to raiſe forces in Ireland; and that they were* " *determined to make an example of him, if he himſelf had not diverted them from that reſolution.* " The Lord *Broghill* interrupted him here, and aſſured him, that *the intelligence the Committee had*

Ormond received, during the whole time of her Lord's proſcription, 3000l. per annum by favor from Cromwell.

So groſsly inconſiſtent with the late peace was the King's ſubſcription to the covenant, that Ormond, after having adviſed his Majeſty to take it, affected publicly to diſcredit the report of his having taken it. The confederates, however, not only believed, that the King had (as the fact was) debaſed himſelf and betrayed them by thus covenanting with the murderers of his father, but that Ormond had approved of and adviſed the meaſure. Several of them, therefore, together with a large part of their clergy, aſſembled at James Town in their preſent embarraſſment, and mindful of the reſolution they had formerly entered into, that in caſe of a breach or diſavowal of the peace on the part of his Majeſty or his Lieutenant, they would return to their

" *received was falſe: that he was neither in a* capacity, *nor had any* inclination *to raiſe diſturbances* " *in* Ireland; and concluded with entreating his Excellency, to have *a kinder opinion of him.* " *Cromwell,* inſtead of making any reply, drew ſome papers out of his pocket, which were the co- " pies of ſeveral letters the Lord *Broghill* had ſent to thoſe perſons in whom he moſt confided, and " put them into his hands. The Lord *Broghill,* upon the peruſal of theſe papers, finding it was " to no purpoſe to diſſemble any longer, aſked his Excellency's pardon for what he had ſaid, re- " turned him his humble thanks for his protection againſt the Committee, and intreated his direc- " tions how he ought to behave in ſo delicate a conjuncture. *Cromwell* told him, that *though till* " *this time he had been a ſtranger to his* perſon, *he was not ſo to his* merit *and* character; *that he* " *had heard how gallantly his Lordſhip had already behaved in the* Iriſh wars; *and therefore, ſince* " *he was named Lord Lieutenant of* Ireland, *and the reducing that kingdom was now became his pro-* " *vince, he had obtained leave of the Committee to offer his Lordſhip the* command of a General Of- " ficer, *if he would ſerve in that war; that he ſhould have no* oaths *or* engagements impoſed upon " him, *nor be obliged to draw his ſword againſt any but the* Iriſh rebels. The Lord *Broghill* was " infinitely ſurpriſed at ſo generous and unexpected an offer. He ſaw himſelf at liberty by all the " rules of honor, to ſerve againſt the *Iriſh,* whoſe rebellion and barbarities were equally deteſted by " the *royal party* and the *Parliament.* He deſired, however, the General to give him ſome time to " conſider of what had been propoſed to him. *Cromwell* briſkly told him, that *he muſt come to* " *ſome reſolution that very inſtant; that he himſelf was returning to the Committee, who were ſtill* " *ſitting; and if his Lordſhip rejected their offer, had determined to ſend him immediately to the* " Tower. The Lord *Broghill* finding that his liberty and life were in the utmoſt danger, and " charmed with the frankneſs and generoſity of *Cromwell's* behaviour, gave him his word and honor, " that he would faithfully ſerve againſt the *Iriſh* rebels. Upon which *Cromwell* once more aſſured " him, that the conditions he had made with him ſhould be punctually obſerved; and then or- " dered him to repair immediately to *Briſtol,* to which place forces ſhould be ſent him, with a ſuffi- " cient number of ſhips to tranſport them into *Ireland.* He added, that he himſelf would ſoon " follow him; and was as good as his word in every particular."

original

original confederacy, as the likelieſt means to hinder their people from cloſing with the Parliament; after much deliberation it was determined, that the clergy ſhould endeavour, by eccleſiaſtical cenſures, to withdraw all perſons of their own communion, from the command of Ormond: they accordingly aſſuming, that his Lordſhip would now publicly promote, as he had ever ſecretly favoured the covenanters, publiſhed an excommunication againſt all ſuch Catholics, as ſhould enliſt under, feed, help, or adhere to his Excellency; or aſſiſt him with men, money, or any other ſupplies whatever: but leſt their loyalty to their conſtitutional monarch ſhould be ſuſpected, they involved in the ſame ſentence of excommunication all ſuch Catholics, as ſhould adhere to the common enemies of God, their King and country: or ſhould any ways help, aſſiſt, abet, or favor them, by bearing arms, for or with them. Whether fear, force, or corruption induced Charles II. to this baſe act, certain it is, that a *covenanting independent ſovereign* is not that conſtitutional executive magiſtrate, which the Iriſh nation was obliged or ought to obey. Under the then exiſting circumſtances, the obſervance of the late peace was the only ſecurity for their religion, liberty, lives, and fortunes.

When Ormond quitted Ireland, he left the wrecks of his waſted, diſſipated, and bartered powers to the Earl of Clanrickard, who had often before remonſtrated with him upon thoſe meaſures of his government, which tended to alienate the affections of the nation from the royal cauſe; and when he received the government from Ormond, he was fully ſenſible of the impoſſibility of effecting any thing eſſentially important to the ſervice of his Royal Maſter.* Although the King, ſtill being in the hands of the Scots, dared not openly avow the treaty then pending with the Duke of Lorrain, to re-eſtabliſh the Royal Authority in Ireland, yet he did all he privately could to forward it, and afterwards, when he was out of the hands of the Scots, he wrote† to his Highneſs from Paris, to ſolicit his and the aſſiſtance of other Catholic Princes, againſt their and his own enemies. Nay, even Ormond, as he had now withdrawn himſelf from the dangerous ſituation, in which he had placed his ſucceſſor, finding his once-favored puritans going greater lengths than he

* The account which Clanrickard gives of the ſtate of Ireland, on the 12th April, 1651, is an honorable and unqueſtionable proof of the unſhaken loyalty of the nation, in the laſt extreme. Clan. Mem. p. 24. for which, vide Appendix, No. XXXVI.

† For this letter, vid. App. No. XXXVII.

perhaps

perhaps wiſhed or expected, notwithſtanding his horror of Popery, did not ſcruple to recommend the ſending *fitting miniſters, and propoſing apt inducements* to the Pope himſelf, for his interpoſition with Catholic princes, to enable the King's Catholic ſubjects of Ireland to make head againſt the rebels.

It has been the general, though ungrateful and unwarrantable practice of moſt of our authors, to brand the Iriſh nation with too haſty and unneceſſary ſubmiſſion to the arms of Cromwell. But theſe very authors relate facts contradictory of their own obloquy. "*The Earl of Orrery himſelf (ſays P. "Walſh) is a witneſs beyond exception, that the Iriſh Catholics were the laſt in "the three kingdoms, that laid down their arms, and gave over fighting for the "royal cauſe." †Propoſitions, ſays Leland, "were received from the Par- "liamentarian General, offering them (the citizens of Limerick) a free exer- "ciſe of their religion, the enjoyment of their eſtates, churches, and church "livings; a free trade and commerce, without any garriſon to be impoſed "upon them, provided they would allow his forces to march through their "city, into the county of Clare. The citizens rejected theſe propoſitions."‡ Which it may be obſerved, were far more favorable than any, that had been granted or even promiſed to them by the king or his lieutenant. Whilſt the general aſſembly, which had been convened by Ormond himſelf, was ſtill ſitting at Loughrea, after his departure, under full ſubmiſſion to his ſucceſſor the Earl of Clanrickard, the regicides made very favorable overtures to them for an accommodation. "The conſequence of it was, ſays Carte, an excom- "munication denounced by the biſhops, and a proclamation iſſued out by "the deputy, upon the advice of the aſſembly, againſt *all* perſons that either "ſerved in the army of the rebels, or entertained any treaty with, or made

* Reply to a perſon of quality, p. 50.

† 3 Lel. 370.

‡ The only diſpoſition that appeared in any part of the nation to favor the rebels, was in the readineſs of the peaſantry to ſupply their camp with proviſions. For Cromwell iſſued a proclamation, forbidding any of his army, under pain of death, to hurt any of the inhabitants, or take any thing from them without paying for it in ready money: and under this proclamation, he ordered two ſoldiers to be hanged in the face of the army, for having ſtolen two hens from an Iriſh cottager. Under this ſecurity and the *falſe* aſſurances of his officers, that they were fighting for the liberties of the Commons, and that every body ſhould thereafter enjoy his own religion and property in freedom, his camp was conſtantly better ſupplied than the army of Ormond, whoſe paſſage through their country was more dreaded by the peaſantry, than that of a moſt ferocious enemy: ſuch ever had been his rapine, extortion, and oppreſſion.

"any

" any ſubmiſſion to them, declaring them guilty of high treaſon and puniſh-
" able with death, unleſs within 21 days they quitted the ſervice and left off
" all communication with the rebels." The Iriſh not only ſuffered for their determined and ſeverely tried loyalty to the royal cauſe, but more particularly for the perſonal bravery and intrepidity, with which they uſed their arms in its defence, of which Dr. Warner gives this honorable teſtimony, in the inſtance of the brave defenders of Drogheda againſt Cromwell, at the head of 10,000 men and a well appointed battering artillery. " *On the 9th
" of September, the ſummons having been rejected, Cromwell began to bat-
" ter the place, and continuing ſo to do till the next day in the evening, the
" aſſault was made, and his men twice repulſed with great bravery: but in
" the 3d attack, which he led himſelf, Colonel Wall being killed at the head
" of his regiment, his men were ſo diſmayed, that they ſubmitted to the ene-
" my offering them quarter ſooner than they need to have done, and thereby
" betrayed themſelves and their fellow ſoldiers to the ſlaughter. The place
" was immediately taken by ſtorm: and though his officers and ſoldiers had
" promiſed quarter to all that would lay down their arms, yet Cromwell or-
" dered that no quarter ſhould be given, and none was given accordingly.
" The ſlaughter continued all that day and the next, and the governor and
" four colonels were killed in cool blood: *which extraordinary ſeverity*, ſays
" Ludlow, with a coolneſs not becoming a man, *I preſume was uſed to diſ-
" courage others from making oppoſition.*" And ſpeaking of the taking of Wexford, which was betrayed by Colonel Strafford, whom Ormond had made governor of the caſtle, he ſays, that " †the ſlaughter was almoſt as great as
" that of Drogheda." A modern portrait has been given of the ſtate of Ireland during this calamitous period, with a view to promote it's union with Great Britain, in which truth and reſemblance have been too groſsly ſacri-

* Warn. Hiſt. Reb. 470.

† Ib. p. 476. The Marquis of Ormond in his letter to the king and Lord Byron, ſays, " that on
" this occaſion, Cromwell exceeded himſelf, and any thing he had ever heard of in breach of faith
" and bloody inhumanity: and that the cruelties exerciſed there for five days after the town was
" taken, would make as many ſeveral pictures of inhumanity, as are to be found in the Book of
" Martyrs, or in the relation of Amboyna." 2. *C. Orm.* 84. Pity it was that Ormond had not been as prompt to check the progreſs of Cromwell with his ſword, as he was to deſcribe his inhumanity with his pen.

ficed,

ficed, to the glow of colouring and warmth of imagination. "*After a fierce "and bloody conteſt for eleven years, in which the face of the whole iſland "was deſolated, and its population nearly extinguiſhed by war, peſtilence "and famine, *the inſurgents* were ſubdued, and ſuffered all the calamities, "which could be inflicted on the vanquiſhed party in a long conteſted civil "war. This was a civil war of extirmination†."—A very ſeaſonable memento is thrown into this compoſition, addreſſed to a certain part of the nation, of "the bleſſings of republican liberty dealt out to their anceſtors, by "the Uſurper Cromwell. His firſt act was to collect all the native Iriſh, "who had ſurvived the general deſolation and remained in the country, and "to tranſplant them into the province of Connaught, which had been depo-"pulated and laid waſte in the progreſs of the rebellion. They were ordered "to retire thither by a certain day, and forbidden to repaſs the Shannon on "pain of death: and this ſentence of deportation was rigidly enforced untill "the reſtoration. Their ancient poſſeſſions were ſeiſed and given up to the "conquerors, as were the poſſeſſions of every man who had taken a part in "the rebellion, or followed the fortune of the king after the murder of "Charles I. This whole fund was diſtributed amongſt the officers and ſol-"diers of Cromwell's army, in ſatisfaction of the arrears of their pay, and "amongſt the adventurers, who had advanced money to defray the expences "of the war. And thus a new colony of new ſettlers, compoſed of all the "various ſects, which then infeſted England, Independents, Anabaptiſts, Se-"ceders, Browniſts, Socinians, Millenarians, and Diſſenters of every deſcrip-"tion, many of them infected with the leaven of democracy, poured into Ire-"land, and were put into poſſeſſion of the ancient inheritance of its inhabi-"tants."

The real ſituation of Ireland, at the reſtoration of Charles II. is more eaſily

* Speech of the Earl of Clare, in the Houſe of Lords in Ireland, on his own motion for the union, on 10th February, 1800. 2d. Dub. Ed. p. 15.

† It is impoſſible that an impartial hearer or reader of this diſcourſe, ſhould underſtand by it, that *the inſurgents who had carried on a fierce and bloody conteſt for eleven years, and had at length been ſubdued,* were the moſt loyal part of the king's ſubjects, who had been fighting againſt the parliamentarian rebels, in defence of the king and his crown, from the year 1641 to 1652, when they were compelled by imperious neceſſity (three years after England) to ſubmit to the tyrannical uſurpation of Cromwell.

deſcribed

deſcribed than credited. A people, who had continued determined in fighting for the royal cauſe, nearly three years longer than any other part of the Britiſh empire, reduced to two thirds of their population by the fierceneſs of their conteſt with the rebellious regicides, by maſſacres, famine, and peſtilence,* ſtripped of any armed force for defence or attack, expatriated at home, and unexceptionably diveſted of the ſcanty remnants of their ancient inheritances, which had not been wreſted from them by former plantations. Thus were theſe unfortunate wrecks of the native Iriſh the devoted victims to their loyalty, penned up like hunted beaſts in the devaſtated wilds of Connaught, hardly exiſting in the gregarian and promiſcuous poſſeſſion and cultivation of the ſoil, without the means of acquiring live or dead ſtock, and wanting even the neceſſary utenſils for huſbandry. The perſeverance of theſe martyrs to royalty, it would be natural to ſuppoſe, would have moved the ſympathy and challenged the juſtice of the reſtored monarch. But Charles was a Stuart, and the Iriſh nation were his moſt ſtaunch, unrelenting, and therefore ſuffering friends. If ever Ireland had a call of gratitude upon the crown of England, it was at the reſtoration of Charles II.: yet if any period ſince the invaſion of Henry II. be diſtinguiſhable for the ſufferings of the Iriſh nation, it was the moment, when that monarch immolated them to the vindictive fury of his own and his father's enemies. Yet ſuch is the force of prejudice againſt the Iriſh, who reſiſted the uſurpation of Cromwell, and ſpent their laſt blood and treaſure in ſupporting the royal cauſe, that by the firſt legiſlators after the reſtoration, the rebellious regicides were eſtabliſhed and confirmed in the wages of their ſanguinary rebellion. This conduct of our anceſtors baffles all conjecture: unleſs the crimes of one kingdom were compromiſed for the forfeitures of another. Yet in the laſt ſeſſion of the laſt parliament of Ireland, the adulatory incenſe of gratitude thrown up to the ſhrine of Cromwell, for having reduced the only perſevering royaliſts under

* Cromwell, ſays Dalrymple (Mem. 1 vol. p. 267) in order to get free of his enemies, did not "ſcruple to tranſport 40,000 Iriſh from their own country, to fill all the armies in Europe with "complaints of his cruelty and admiration of their own valour." Theſe were either bribed, perſuaded or forced to take themſelves out of their country embodied with their officers. This was the firſt foundation of Iriſh corps in foreign armies. They were all Catholics: for all the Proteſtant forces in Ireland were either tranſmitted over by Ormond, or after his departure went voluntarily to the rebellious regicides. Borlaſe ſays, that in the ſummer of 1650, 17,000 died of the plague in Dublin alone.

his ſubjection, bids bold defiance to aſtoniſhment.* *It would have been an act of groſs injuſtice on the part of the king, to have overlooked the intereſts of Cromwell's ſoldiers and adventurers, who had been put into poſſeſſion of the confiſcated lands in Ireland.*

Of all the leading men in Ireland, who had given the moſt virulently into the uſurpation, were Lord Broghill, and Sir Charles Coote: they during the whole interregnum were preſidents of Munſter and Connaught; they had been the occaſion of taking away more lives in cold blood from the year 1641, than any other men in Ireland, if we except the orders of Cromwell at Drogheda and Wexford: but no ſooner did they perceive the turn of the ſcale in favor of royalty, than they became as prominent in their offers to Charles, as they had been zealous in their ſervices to Cromwell: and Charles in the full glow of his family paſſion for rewarding his enemies, created *Broghill* Earl of *Orrery*; and *Coote* Earl of *Montrath*; and appointed them lords juſtices of Ireland.† Sir Maurice Euſtace (an old and particular friend of the Marquis of Ormond, ſays Carte) was at the ſame time made lord high chancellor. By the advice, management, and contrivance of theſe four perſons, (all determined enemies to the Iriſh Catholics) was the whole ſettlement of that kingdom conducted. Commiſſioners were ſent by this party to the king to forward their grand deſign, which was to call a new parliament, into which no Catholic either peer or commoner ſhould be admitted, in which ſhould be granted a general pardon and indemnity to all Proteſtants: and in which all the Cromwellians ſhould be ſecured in their poſſeſſions, and the Iriſh effectually prevented from recovering their eſtates. The parliament which was convened was ſo conſtituted,‡ as to command by a moſt decided majority whatever meaſure

* Speech of the Earl of Clare on the 10th of February, 1800, p. 17.

† "Theſe two earls had been, ſays Clarendon, eminently againſt the king: but upon this turn, "when all other powers were down, were eminently for him. But the king had not then power "to chuſe any againſt whom ſome as material objections might not be made. With them there "were too many others, upon whom honours were conferred; upon ſome, that they might do no "harm, who were thereby enabled to do the more." *Clar. Life*, 2 v. p. 219. Clarendon (to his own coſt ultimately) was a warm encourager of this Stuart principle.

‡ This Houſe of Commons conſiſted of 260 members, of which all but 64 were burgeſſes: and Cromwell had filled all the corporations throughout the kingdom, inſomuch that they were then all of his party and ſpirit. In the Houſe of Peers there were about twenty-one Catholic peers and ſeventy-two Proteſtant peers, beſides twenty-four biſhops: their liſt as it ſtood in 1688 may be ſeen App. No. XXXIX.

might

might be propoſed for carrying theſe expedients into effect: but in order the more ſurely to effectuate their purpoſe, and to prevent even a debate on the queſtion, all Catholic members, though not at that time diſqualified to ſit and vote in parliament, were excluded by the ſelf aſſumed power of each houſe: the commons having paſſed a reſolution "that no member "ſhould be qualified to ſit in their houſe, but ſuch as had taken the oaths "of allegiance and ſupremacy:" and the ſpeaker of the houſe of peers (Bramhall, archbiſhop of Armagh) having propoſed a reſolution which paſſed their houſe "that all the members thereof ſhould receive the ſacrament "of the Lord's Supper from his grace's own hands." With the like view of preventing the Iriſh Catholics from ſending over agents to England to oppoſe or counteract the ſtate commiſſioners as they were then called, who were ſoliciting the Engliſh parliament to except the Iriſh Catholics out of the act of oblivion and general pardon, the convention at Dublin put in execution all the ſevere laws and ordinances made by the Uſurper; by which the Catholics were prevented from going from one province to another, to tranſact their buſineſs, ſuch as had the more conſiderable eſtates were impriſoned, all their letters to and from the capital were intercepted: the gentry were forbidden to meet, and were thereby deprived of the means of agreeing upon agents to take care of their intereſts, and of an opportunity to repreſent their grievances at the foot of the throne. The ſtale device of contriving new Popiſh conſpiracies and rebellions was reſorted to, in order to alarm the Engliſh parliament into the meaſure of excluding the Iriſh Catholics from the general pardon, and quieting poſſeſſions in Ireland: Charles publiſhed a proclamation for apprehending and proſecuting all *Iriſh rebels*, (a term now generally adopted as ſynonymous with *Iriſh Catholics*) and commanding, that adventurers, ſoldiers, and others who were poſſeſſed of any lands, ſhould not be diſturbed in their poſſeſſions, until legally evicted, or his majeſty, by advice of parliament, ſhould take further order therein. Carte, Leland, and indeed all our hiſtorians agree, that the moſt aggravated, extravagant, and unfounded reports againſt the Iriſh, were brought to England, and there received with the utmoſt avidity, and circulated with every accumulation of inventive ſelfiſhneſs and malice, by incredible numbers of projectors, ſuitors, ſufferers, claimants, ſolicitors, pretenders, and petitioners who thronged the court, and looked to the Iriſh forfeitures as the ſure fund for realizing their various ſpeculations. Such however was the effect produced by theſe manœuvres or other means, which have now eſcaped the

eye of the public, that when the ſtate commiſſioners from Ireland petitioned both houſes of parliament in England to exclude the Iriſh Catholics from the general indemnity, the Duke of Ormond oppoſed it, alledging, *that his majeſty had reſerved the cognizance of that matter to himſelf*, though it were notorious, that the king but ſome days before in his ſpeech to parliament had informed them, "that he expected (in relation to the Iriſh) "they would have a care of his honour, and of the promiſe he had made "them."* And they were accordingly excluded, to their ruin, the exultation and triumph of their enemies, and the aſtoniſhment of all impartial men. Ormond reſumed the government of Ireland, and by him were framed and ſettled the king's declaration, the acts of ſettlement and explanation, and by him was made out the liſt of the perſons excepted by name† out of the ruinous effects of the act of ſettlement. By him was recommended the Court of Claims, and under his influence were appointed the firſt members of it, whoſe intereſted partiality and corruption, became too rank even for their patron to countenance. He then ſubſtituted men of real reſpectability to fill their places, but ſo ſtinted them in their time for going through the claims of the diſpoſſeſſed proprietors, (notwithſtanding the few caſes under which their innocency could be admitted) that when they applied for an enlargement of time in order to go through ſeveral thouſands of unheard claims, Ormond oppoſed the application, and rejected a clauſe in the bill for the relief of theſe unheard claimants.‡ Under theſe different circumſtances, the repreſentation of this whole tranſaction made by the higheſt legal authority in the laſt parliament of Ireland is the more ſingular, as it immediately followed an opinion, that Cromwell's conduct in Ireland

* Viz. Explicitly from Breda through the Marquis of Ormond. "That he would perform all "grants and conceſſions which he had either made or promiſed them by that peace: and which as "he had new inſtances of their loyalty and affection to him, he ſhould ſtudy rather to enlarge, than "diminiſh or infringe in the leaſt degree."

† They are about 500 in all; they being the leaders of the noxious party, their merit takes off the guilt of the reſt who ſuffered.

‡ So ſenſible was Ormond at this time of the injuſtice he was working againſt his countrymen, whom he hated on account of their religion, that he thus expreſſed himſelf on the ſubject to Clarendon: *(C. O. 3 vol.)* "If you look upon the compoſition of this council and parliament, you "will not think it probable, that the ſettlement of Ireland can be made with much favour or indeed "reaſonable regard to the Iriſh. If it be, it will not paſs: and if it be not, we muſt look for all the "clamour that can be raiſed by undone men." The ingratitude and injuſtice of this conduct to the Iriſh was too glaring for Ormond not to wiſh to throw the odium of it upon his creatures.

was

was eſſentially advantageous to the Britiſh empire." "But," ſays his lordſhip, "admitting the principle of this declaration in its fulleſt extent, it is "impoſſible to defend the acts of ſettlement and explanation, by which it "was carried into effect."*

"The act of ſettlement profeſſes to have for its object, the execution of "his majeſty's gracious declaration for the ſettlement of his kingdom of "Ireland, and the ſatisfaction of the ſeveral intereſts of adventurers, ſoldiers, "and other his ſubjects there: and after reciting the rebellion, the enor- "mities committed in the progreſs of it, and the final reduction of the "rebels, by the king's Engliſh and Proteſtant ſubjects, by a general ſweeping "clauſe veſts in the king, his heirs and ſucceſſors, all eſtates real and per- "ſonal, of every kind whatſoever in the kingdom of Ireland, which at "any time from the 21ſt of October, 1641, were ſeized or ſequeſtered into "the hands, or to the uſe of Charles I. or the then king, or otherwiſe "diſpoſed of, ſet out or ſet apart, by reaſon or on account of the rebellion, "or which were allotted, aſſigned, or diſtributed, to any perſon or perſons "for adventures, arrears, repriſals, or otherwiſe, or whereof any ſoldier, "adventurer, or other perſon was in poſſeſſion, for or on account of the "rebellion. And having thus, in the firſt inſtance, veſted three fourths "of the lands and perſonal property of the inhabitants of this iſland in "the king, commiſſioners are appointed with full and excluſive authority, "to hear and determine all claims upon the general fund, whether of officers "and ſoldiers for arrears of pay, of adventurers who had advanced money "for carrying on the war, or of innocent Papiſts, as they are called, in "other words, of the old inhabitants of the iſland, who had been diſpoſſeſſed "by Cromwell, not for having taking a part in the rebellion againſt the "Engliſh crown, but for their attachment to the fortunes of Charles II.: "but with reſpect to this claſs of ſufferers, who might naturally have ex- "pected a preference of claim, a clauſe is introduced, by which they are "poſtponed after a decree of innocence by the commiſſioners, until previous "repriſal ſhall be made to Cromwell's ſoldiers and adventurers, who had "obtained poſſeſſion of their inheritance. I will not detain the houſe "with a minute detail of the proviſions of this act: but I wiſh gentlemen, who "call themſelves the dignified and independent Iriſh nation, to know, that

* Speech of Lord Clare.

"ſeven

" ſeven millions eight hundred thouſand acres of land were ſet out, under " the authority of this act, to a mottley crew of Engliſh adventurers, civil " and military, nearly to the total excluſion of the old inhabitants of the " iſland. Many of the latter claſs, who were innocent of the rebellion, loſt " their inheritance, as well from the difficulties impoſed upon them by the " court of claims, in the proofs required of their innocence, as from a " deficiency in the fund for repriſal to Engliſh adventurers, ariſing princi- " pally from a profuſe grant made by the crown to the Duke of York. " The parliament of Ireland, having made this ſettlement of the iſland in " effect on themſelves, granted an hereditary revenue to the crown, as an " indemnity for the forfeitures thus relinquiſhed by Charles II."

Certain it is, that ſtrong prepoſſeſſions are entertained by many to this day, in favour of Ormond and his conduct both to the king and his countrymen. Hiſtorical juſtice can judge only from facts either ſatisfactorily proved, or admitted on all hands. We have traced his conduct up to the preſent period. When the ſympathy and juſtice of his royal maſter balanced between the claims of the Engliſh Proteſtants, and the Iriſh Catholics, Ormond's efforts to bias the king in favour of the former, could not fail to be ſucceſsful with a Stuart, becauſe the latter had been ever faithful to his intereſts, and the former had been the avowed enemies of himſelf and family. So far was Ormond from having ſuffered by theſe rebellions, inſurrections, or civil wars in Ireland, that we read in a letter from the Earl of Angleſey* to the Earl of Caſtlehaven, publiſhed in the latter's memoirs during Ormond's own life (A. D. 1681); "that his grace (he was then raiſed to the dignity " of a duke)† and his family, by the forfeiture and puniſhment of the Iriſh, were

* This authority is the ſtronger by how much the intimacy and friendſhip of Lord Angleſey were the greater for Ormond; and we are informed by Leland, after Carte, that when the Duke of Buckingham was endeavouring to ſupplant Ormond in the king's favour, and made overtures to the Earl of Angleſey for that purpoſe, the earl rejected theſe overtures with indignation, and gave Ormond notice of the deſigns formed againſt him. 3 *Lel. p.* 458. It will however, be candid to apprize the reader of what Ormond himſelf had to offer in juſtification of his own conduct, which he has done in the letter he wrote to his majeſty, with his reaſon for quitting the government of Ireland, for which ſee the App. No. XL.

† An anonymous writer in 1674, in a pamphlet called the *Unkind Deſerter*, aſſerted, that " Ormond's eſtate before the war cleared but 7000l. per annum, it was ſo heavily charged with " annuities and leaſes, but that it was worth 40,000l. per annum, and that it was at that time " (1674)

" were the greateſt gainers of the kingdom, and had added to their inhe-
" ritance vaſt ſcopes of land, and a revenue three times greater than what his
" paternal eſtate was before the rebellion, and that moſt of his encreaſe
" was out of their eſtates, who adhered to the peaces of 1646, and 1648,
" or ſerved under his majeſty's enſigns abroad."* During the remainder of Charles's reign, many malicious attempts were made to ſtigmatize the Iriſh with freſh rebellions: which always ſerved as pretexts for enforcing the execution of the penal laws againſt the Catholics.† Ormond was worked out of favour by the intrigues of the Duke of Buckingham, and the Earl of

" (1674) cloſe upon 80,000l. per annum. Now the firſt part of his new great revenues, is the
" king's grant of all thoſe lands of his own eſtates which were leaſed or mortgaged: the reſt were
" grants of other men's eſtates and other gifts of his majeſty. His gifts and grants are thought to
" amount to 630,000l." p. 161-2. All theſe gifts were confirmed by parliament. The printer of this pamphlet was impriſoned at the ſuit of Ormond, but no anſwer to it was ever attempted.

* From whence his lordſhip juſtly concluded, " that his grace could not have been very ſincere
" in making either of theſe peaces with the Iriſh: but that whatever moved him thereto, whether
" compaſſion, natural affection, or any thing elſe, he was in judgment and conſcience againſt
" them: and ſo has he ſince appeared and hath advantage by their laying aſide." *Caſt. Mem. ubi ſupra.*

† Ormond, who probably was conſcious of the king's diſpoſition and ſecret wiſhes to favour the Catholics, did all he could to raiſe diviſions amongſt them, by dividing the clergy upon a punctilious form of oath, by which it was then in contemplation to allow the Catholics to expreſs their allegiance to their ſovereign. The declaration of the great body of the clergy, which Ormond rejected, may be ſeen in the App. No. XLI. Not contented with the indignant rejection of the clergy's remonſtrance, he ordered them to diſperſe, and ſoon after baniſhed them out of the nation: and ſo rigorouſly was this effected, that when Ormond quitted the government, there were only three Catholic biſhops remaining in the kingdom; two of them were bedridden, and the third kept himſelf concealed. If the public conduct of great men may be ſometimes traced to their private feelings and paſſions, it may here be proper to inform the reader, that Walſh (the hiſtorian) who was an apoſtate Franciſcan friar, then under the interdict or excommunication of his own biſhop, was the particular favourite, creature, and penſioner of Ormond: that Walſh was the moſt violent oppoſer of Talbot, the titular archbiſhop of Dublin, and the reſt of the petitioning and remonſtrant clergy: that Talbot was the brother of Colonel Richard Talbot, (afterwards Earl of Tyrconnel) who had been ſent to the tower in London, for having challenged Ormond for duplicity of conduct in relation to the Iriſh Catholics, an agent for whom the colonel was; Ormond in complaining to the king, aſked his majeſty, if it were his pleaſure that at this time of day he ſhould put off his doublet to fight duels with Dick Talbot. This conduct of Ormond towards Talbot, did not much raiſe the duke in the eſtimation or affection of his countrymen. And the king, who by dying in the Catholic communion, has proved to poſterity, that he was long before favourably diſpoſed towards his Catholic ſubjects, could not much reliſh this ſeverity of Ormond towards them.

Orrery:

Orrery: he was firſt ſucceeded by Lord Robarts, and then the Earl of Eſſex:* and was at laſt taken again into the favour of his ſovereign, and reſtored to the government of Ireland, which he retained till the demiſe of Charles II.; though this king a very ſhort time before his death, had intimated to the Duke of Ormond, his intention of ſending over the Earl of Rocheſter to aſſume the government in his ſtead; his grace's removal was one of the firſt acts of his ſucceſſor, James II.

* Whilſt this nobleman was lord lieutenant in 1674, he thus expreſſed himſelf upon the ſubject of Ormond's gains by the rebellions: "My Lord Duke of Ormond has received above 300,000l. "in this kingdom, beſides all his great places and emoluments, and I am ſure the loſſes of his pri- "vate eſtates, have not been equal to thoſe I have ſuffered (in the preceding civil war,) and yet he "is ſo happy as no exception is taken to it: *(St. Let. p.213.)*

CHAP.

CHAPTER VI.

THE REIGN OF JAMES THE SECOND.

THE ſhort reign of this unfortunate monarch was pregnant with events of the deepeſt importance to the Iriſh nation. That the joy and exultation of the Iriſh Catholics at the acceſſion of a Catholic prince to the throne ſhould be exceſſive and even intemperate was to be expected. The turn of the ſcale of politics in this kingdom was rapid and complete. However differently the few years of James the ſecond's reign are repreſented by our own and the Iriſh hiſtorians, great allowances muſt be made for the violence of thoſe party pre-poſſeſſions, under which they have both written.* I ſhall advert ſolely to

* The great book of authority which our authors look up to, and of which the Iriſh loudly complain, is, *The ſtate of the Proteſtants of Ireland under the late king James's government, in which their carriage towards him is juſtified, and the abſolute neceſſity of their endeavouring to be freed from his government, and of ſubmitting to their preſent majeſties is demonſtrated.* It was written, as by the title ſufficiently appears immediately after the revolution, to make court to King William, and is attributed to Doctor King, who was made Biſhop of Derry in 1690, and tranſlated to the ſee of Dublin in 1702. Doctor Leſley, the famous Proteſtant divine, wrote an anſwer to this book, in which he proves moſt of Doctor King's charges to be either abſolutely falſe or groſsly exaggerated. Leſlie's anſwer was never replied to, and by the turn of politics it was ſuppreſſed even in the firſt edition, whereas Dr. King's has gone through ſeveral editions. It is curious to attend to what Swift has ſaid of Dr. Leſley, who was a firm *non-juror*. Swift was as little diſpoſed to favor Popery or Papiſts, as Puritans or Republicans. (*Swift's Preface to Burnet's Introduction to his Hiſtory of the Reformation*). "Without doubt Mr. Leſley is unhappily miſled in his politics: but he has "given the world ſuch a proof of his ſoundneſs in religion, as many a biſhop ought to be proud of. "I never ſaw the gentleman in my life: I know he is the ſon of a great prelate, who upon ſeveral "accounts, was one of the moſt extraordinary men of his age. I verily believe he acted from a "miſtaken conſcience (in refuſing to ſwear allegiance to King William) and therefore I diſtin-"guiſh between the principles and the perſon. However it is ſome mortification to me, when I "ſee an avowed non-juror contribute more to the confounding of Popery, than could ever be done "by an hundred thouſand ſuch introductions." It ſhould alſo be added, that Dr. King had been before the revolution in favor with James, and had expreſſed ſentiments of the ſtauncheſt toryiſm: but on being detected in a correſpondence with the Prince of Orange and the northern rebels, was committed to priſon: from whence he was diſcharged upon Lord Chief Juſtice Herbert's undertaking to anſwer for his loyalty to King James: at which his lordſhip was afterwards much vexed.

uncontroverted facts. The earl of Clarendon ſucceeded Ormond, but he was probably too firmly attached to the Proteſtant Intereſt, to give as largely into King James' meaſures, as was agreeable to the deſigns of the court.* His inſtructions clearly beſpoke the king's intention of introducing Catholics into corporations, and inveſting them with magiſtracies and judicial offices: and being called upon by his inſtructions to give his opinion upon the legality of the meaſure, he expreſſed his readineſs to comply with his majeſty's commands herein, although contrary to the act of Elizabeth, which directed, that all civil and temporal officers, as well as eccleſiaſtical, ſhould take the oath of ſupremacy. The army was, however, ſoon filled with Catholic officers, the Bench with Catholic judges, (except three who retained their ſeats) the corporations with Catholic members, and the counties with Catholic ſheriffs and magiſtrates. And the Earl of Tyrconnel was appointed the commander in chief of the army, independent of the lord lieutenant. On the very rumour of theſe changes and appointments, alarm and conſternation fell upon the whole Proteſtant part of the kingdom: and moſt of the traders and others, whoſe fortunes could be transferred, fled from a country, in which they expected a ſpeedy eſtabliſhment of Popery, and a general tranſmutation of property. Clarendon and moſt of the Proteſtant party complained of the overbearing confidence and preſumption of Tyrconnel and the Catholics, by whom, in ſome inſtances, their newly acquired power and influence were imprudently exerciſed. The Catholics, now feeling themſelves ſecure at leaſt in the freedom of their religion, prevailed on Tyrconnel to go to England in order to bring over the king to their

* Hence his frequent complaints of his majeſty's want of confidence in him, "I ſhall be able "to do the king more or leſs ſervice here, according to the credit and countenance the world finds "I have from his majeſty." And "certainly it would not be to the prejudice of the king's ſervice "to have the chief governor a little conſulted with. (*State Letters*, 1 *vol. page* 114) In the ſame letter to the lord treaſurer: he ſays, "His majeſty knows that I will, as well as muſt obey him." It appears however that the moſt alarming effects were expected from the ſanguine expectations on one ſide and the fears on the other, that the acts of ſettlement and explanation ſhould be repealed, and the former proprietors readmitted to their ancient inheritances: for the new lord lieutenant in his ſpeech to the council when he was ſworn into office, on the 9th of January 1685-6, expreſsly told them, "I have the king's commands to declare upon all occaſions; that whatever imaginary (for "they can be called no other) apprehenſions any men here may have had, his majeſty hath no "intention of altering the acts of ſettlement." (*Append. to St. Let. p.* 283.)

favorite

favorite meaſure of breaking through the act of ſettlement. It had now had the ſanction and experience of twenty years, and the king ſaw more inconveniences in throwing the whole national property into a new ſtate of diſorder and confuſion, than thoſe did, who had been ſuffering during that whole time from the deprivation of their birth rights.* Tyrconnel however ſo effectually worked upon the king, as to have diſpoſed him to conſent to the repeal of the acts of ſettlement; and he ſoon returned to Ireland as lord deputy.

This new arrangement of the government of Ireland with the inveſtiture of ſuch a portion of the civil power of the nation in the hands of Catholics, worked up the Proteſtants of moſt denominations to the laſt degree of ſuſpicion and fear. Tyrconnel was perſonally obnoxious to them: he was impetuous, reſolute, and imperious: he commanded an unbounded influence over the king, and having in his youth been a witneſs to the bloody carnage at Drogheda, he had ever retained an abhorrence of Fanaticiſm, with the ſpirit of which he conſidered all Proteſtants more or leſs infected. Nothing more was wanting to alienate the affections of the Iriſh Proteſtants from James and his government: and ere this unfortunate monarch by the advice of imprudent and inſidious counſellors had been brought to abdicate the crown of England, the whole Proteſtant intereſt of Ireland had already aſſociated againſt him.†

This

* Tyrconnel was himſelf a great enemy to the ſettlement, and he took over with him Mr. Nagle, who was generally eſteemed one of the moſt eminent of the profeſſion of the law, who, whilſt in England, wrote a treatiſe much ſpoken of in thoſe days upon the injuſtice of the acts of ſettlement: it was called the *Coventry Letter*.

† Great allowances are to be made by the impartial obſerver of the heat of thoſe factious days, in attributing the natural workings of the minds of individuals upon the political circumſtances of the day. No man ever ſpoke with more candor and ſincerity upon that ſubject, than Dr. Leſley, a moſt zealous defender and apoſtle of the Church of England. (*Preface to his Anſwer to Archbiſhop King*) "Suppoſe, ſay they, it were true which Dr. King aſſerts, as it is moſt falſe, that King James while "he was in Ireland, did endeavour totally to overthrow the Church eſtabliſhed by law there, and "ſet up that which was moſt agreeable to the inclinations of the major number of the people in "that kingdom, who are Roman Catholics: the Jacobites aſk, if this were ſo, whether it be not "fully vindicated in the fourth inſtruction of thoſe which King William ſent to his commiſſioner "in Scotland, dated at Copt Hall, May 31, 1689, in theſe words? *You are to paſs an act, eſtabliſh-*"*ing that Church government which is moſt agreeable to the inclinations of the people.*"

This ſingular epoch of the Iriſh Hiſtory furniſhes the moſt ſimple demonſtration of the neceſſity of an incorporate union, and expoſes the monſtrous anomaly of ſeveral independent kingdoms under one ſovereign. None of the facts, which in England had amounted to a complete abdication of the crown of England, exiſted in ſpecies, analogy, or relation to the crown of Ireland. Here the royal authority ſtill remained veſted in the perſon deputed

" By which rule they ſay, that it was as juſt to ſet up *Popery* in Ireland, as *Preſbytery* in Scotland: " and that the law was not more againſt the one in Ireland, than againſt the other in Scotland. " That the parliament in Ireland was liable to leſs exception, than that in Scotland. The one " called in the uſual form, by writs from their *natural king*, to whom they had ſworn: the other " by circular letters from a foreign *prince*, to whom they owed no obedience; who could not, nor " did pretend any other authority over them or right to the crown, beſides *the inclination of the* " *people*. Which therefore they ſay, in return for their kindneſs, he has made the ſtandard for " *Church Government*, as well as the government of the *State*.

" That it is only alledged that King James intended to do in Ireland, what he did not do, when " it was in his power, and what King William actually did when he was in Scotland, viz. to over- " turn the Church then by law eſtabliſhed. Though King James had truly the argument of the " *inclinations of the people*, i. e. of the major part in Ireland, which was but a pretence, and " falſely collected in Scotland, from the *fanatic rabble* being let looſe, and encouraged to act all " outrage upon the *Epiſcopal clergy*."

The ſame author, with equal truth and candor ſpeaks in this manner of King James, whoſe real character is little known from the diſtorted caricaturas left of it by moſt of his cotemporary writers after which the more modern copies have been taken. James had many virtues, and many faults: he was treacherouſly adviſed and he was unfortnnate. "I have done, when I have deſired the " reader not to think that I am inſenſible of ſeveral ill ſteps, which were made in the adminiſtration " of affairs, under the government of King James. Nor do I deſign to leſſen them, or make other " apology for them, than by doing him this juſtice to tell what the jacobites offer to prove, and " make it notorious: viz. that the greateſt blots in his government were hit by thoſe who made " them, with deſign to ruin him, and now boaſt it as their merit, and are rewarded for it. And " though Dr. King repreſents him to be of ſo tyrannical and implacable a temper towards the Pro- " teſtants, yet that it is now publicly known that the fatal meaſures he took were adviſed, and often " preſſed, beyond and againſt his majeſty's inclinations and opinion, by thoſe Proteſtants, whom his " unexampled and even faulty clemency had not only pardoned, for all their bitter virulency in " oppoſing his ſucceſſion, but brought them into his moſt ſecret councils, and acted by their advice. " This was the burden of the charge laid againſt him in the Prince of Orange's declaration: viz. " Employing ſuch miniſters, and acting by their advice: and though our law ſays, that the king can " do no wrong, and therefore that his miniſters are only accountable, yet as Mr. Samuel Johnſon " laid it open, that we have lived to ſee the king only puniſhed, and thoſe miniſters rewarded, and " ſtill employed: and the many grievances complained of in their adminiſtration under King James " are, by the preſent diſcontented, ſaid to be continued and doubled upon us now."

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in direct oppoſition to the king: and was therefore at that time manifeſtly by King James to execute it; the bulk of the people ſtill ſubmitted to it, as it was their duty to do; for it is ſelf-evident, that by the conſtitution of Ireland, the people of England, the King of England, or the parliament of England could not diſſolve or transfer the allegiance of the people of Ireland, which long had been, then was and continued until the late union to be an independent kingdom: and therefore capable of uniting and proper to be united with Great Britain. James II. therefore, continued to be king of Ireland *de jure et de facto*, notwithſtanding his abdication of the crown of England.*

Long before King James had left England, the Proteſtants in the north of Ireland, were generally in arms; appointed themſelves officers; inliſted men: armed and arrayed them; they regimented themſelves, and had frequent rendezvous: they appeared in the field with drums beating and colors flying: they choſe governors of counties, and appointed councils and committees to carry on their buſineſs: they diſarmed the native Iriſh, and ſuch of the Proteſtants, as they ſuſpected not to be cordial to their cauſe. All this was not only done without the authority of James, at that time king of Ireland; but the royal authority for it was not even pretended. On the contrary, it is manifeſt by their ſubſequent conduct, and boaſting of it (when the revolution had ſucceeded) as meritorious, that it was all intended

* As all independency muſt be reciprocal, it might with as much reaſon be argued that the continuance of Ireland's allegiance to James ſhould bind England, as England's diſcontinuance of it ſhould bind Ireland. And in caſe of an abdication of the crown of Ireland, it certainly was competent for Ireland to chuſe for itſelf, whether it ſhould continue the crown in the old line of deſcent, or ſet aſide the old inheritable ſtock in favor of a ſtranger and foreigner as the Engliſh did. In ſuch caſe England muſt have had the right of legiſlating for Ireland. The moſt bigotted obloquy alone can impute rebellion to the Iriſh Catholics for adhering to and fighting for King James their lawful ſovereign, until he fled and abandoned them to the conqueror. Dr. Leſley is very pointed about the verſatility of the Proteſtants allegiance in this revolutionary criſis. "Before the aſſociation in the "north of Ireland, September 1688, they prayed for King James. The beginning of March fol- "lowing, they proclaimed the Prince of Orange king, and prayed for him. The 15th day King "James's army broke their forces at Drommore in the North of Ireland, and reduced all but Derry "and Enniſkillen. Then they prayed again for King James, *that God would ſtrengthen him to "vanquiſh and overcome all his enemies.* In Auguſt following, Schomberg went over with an "Engliſh army, then as far as his quarters reacht, they returned to pray the ſame prayer for King "William: the reſt of the Proteſtants ſtill praying for victory to King James and for the people; "and yet now tell us, that all that while they meant the ſame thing: four times in one year praying "forwards and backwards point blank contradictory to one another.

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a treaſonable levying of war againſt the crown.* This formidable armed force of the northern Proteſtants had been gaining ſtrength ſeveral months before the landing of William in Torr Bay: and they continued daily in an improving ſtate of organization and regular warfare againſt the exiſting government of the country.†

* The aſſociation under the orders of which all this was done was eſtabliſhed and they began to arm in September 1688. Vide p. 7. of *the Faithful Hiſtory of the Northern Affairs of Ireland from the late King James's Acceſſion to the Crown, to the Siege of Londonderry, by a Perſon who bore a great Part in theſe Tranſactions.* This author was a predetermined enemy of James.

† It is a matter of no ſmall moment to aſcertain the dates of the leading facts of the revolution of 1688, in Ireland: for it bore very differently both in fact and principle upon England and Ireland. That James abdicated in England is as unqueſtionable, as that he did not abdicate in the ſame manner and at the ſame time in Ireland. He left Whitehall when he went to Faverſham, on the 11th of December 1788: but he returned to London, and quitted England only on the 23d of December following: and his abdication was not formally determined in the convention till the enſuing February. Long before any of theſe three facts could have been known in Ireland, we find (*in Mr. Boyſe's Vindication of Mr. Oſborne in Reference to the Affairs in the north of Ireland, p.* 11) that Mr. Oſborne was, in November 1788, entruſted by his brethren the Non-conformiſt miniſters and other gentlemen of note and intereſt in the provence of Ulſter, to get ſome gentlemen ſent from Dublin to the prince with inſtructions ſigned by Archdeacon Hamilton and Alexander Oſborne in the name of the reſt, to congratulate the arrival of the Prince of Orange into England, and tender their ſervices to him. They accordingly ſent a perſon with a memorial to the Prince of Orange on the 8th of December, 1688, greatly enlarging on thoſe inſtructions: the original of which papers Mr. Boyſe at the time of his writing the before-mentioned pamphlet had in his poſſeſſion. Theſe very inſtructions argue a long pre-exiſting organization, which at that time could be nothing ſhort of downright treaſon. Such alſo were the acts of ſhutting the gates of Londonderry againſt Lord Antrim's regiment ſent thither by the lord deputy, and refuſing to quarter two companies of ſoldiers ſent to Enniſkillen by the ſame authority. Which two acts Archbiſhop King ſays, *was all that was done by any Proteſtant in Ireland in oppoſition to the government before King James deſerted England* (p. 118.) We learn from Hamilton's *Actions of the Enniskillen Men*, p. 3, that this happened on the 16th of December 1688. But it was on the 3d of December that a certain anonymous illiterately worded letter, announcing an intended maſſacre of all the Proteſtants of Ireland on the 9th of that month, was picked up in Cumber Street and ſent to Lord Mount Alexander (and *whether true or counterfeit*, ſays his grace (p. 115) was ſpread over the whole kingdom, and about the ſame time the gates of Derry were ſhut againſt Lord Antrim's regiment; which Archbiſhop King juſtifies, as they appeared before the town without the king's livery, (p. 115). On the 7th of December 1688 (vide Mackenzie's Narrative of the Siege of Londonderry, p. 3) the gates were ſhut to Lord Antrim's regiment, and on that very ſame day Mr. Hamilton of Tollimore went to Dublin deputed by theſe Proteſtant aſſociates to entreat the Earl of Granard, to put himſelf at the head of the northern army as their general: to which deputation he returned a very indignant anſwer: that he knew not what it was to command a rabble: that he had lived loyal all his life, and would not depart from it in his old age, and was reſolved, that no man ſhould write *rebel* upon his grave ſtone. (Leſl. 79.)

Tyrconnel

Tyrconnel under theſe embarraſsments ſummoned all the loyal part of the nation to arm in ſupport of the rights of their lawful ſovereign, upon which their own rights alſo depended, againſt the northern rebels, and the efforts of the uſurper, (ſuch was the ſtile of the caſtle).

Hiſtorical juſtice obliges us here to remark and confute a moſt glaring and malicious miſrepreſentation of Archbiſhop King (119) where he ſays: "And leſt there ſhould be any terms propoſed or accepted by the people "in the north, and ſo, that country eſcape being plundered and undone, "he made all the haſte he could to involve the kingdom into blood." The fact is ſo much the reverſe, that ſeveral proclamations were made requiring the aſſociators to diſperſe and promiſing them pardon. There was one of this nature, dated the 25th of January 1688, which was ſigned by ſeveral Proteſtants of the council as the Earl of Granard, Lord Chief Juſtice Keating, &c. to which a reference is made in the proclamation mentioned by the archbiſhop bearing date 7th of March 1688:* and it is notorious that Mr. Oſborne was ſent down to the north by the lord deputy before any part of the army was put in motion, with inſtructions to uſe all perſuaſions to the aſſociators to lay down their arms, and give them warning of the very day on which the army would march: with a ſpecial inſtruction, that although ten were excepted in the proclamation, yet he would inſiſt but upon three: and if it ſhould appear, that they took up arms merely for ſelf-preſervation, (as was pretended) then he would pardon theſe ſaid three perſons alſo.†

An army of about 30000 men was ſoon formed, and officered chiefly with Catholics. James gave conſtant aſſurances, that he would come over to head them in perſon: he was then at the court of Louis the XIVth, who commiſerating his fallen ſtate, and envying the riſing power of William, his inveterate enemy, offered him a French army to enable him to reaſſert his rights: which he with true patriotiſm declined, alledging "that he would "recover his dominions by the aſſiſtance of his own ſubjects or periſh in the "attempt." James ſailed from Breſt with a ſtrong armament, having on

* This proclamation is to be ſeen in the Appendix, No. XLII: and is a notable monument of the want of good faith and candor in this trimming prelate: and in juſtice to the actors in the ſcenes which his grace was then repreſenting ought to have been comprized in his Appendix amongſt other documents of very inferior importance to that public act of government.

† See Mr. Oſborne's letter to Lord Maſſarene taken from the Apology for the Proteſtants in Ireland. Appendix, No. XLIII.

board

board 1200 of his own ſubjects who then were in the pay of France, and 100 French officers, and landed at Kinſale, in March 1689: from thence he proceeded to Dublin, where he was received as king, with great pomp and ſolemnity.

* "Addreſſes (ſays Leland) were inſtantly poured in upon him from all "orders of people. That of the Proteſtant eſtabliſhed clergy touched "gently on the diſtraction of the times, and the grievances they had ex- "perienced. He aſſured them of protection; he promiſed to defend, and "even to enlarge their privileges. But his faireſt declarations were received "with coldneſs and ſuſpicion, when all the remaining Proteſtants of the "privy council were removed, and their places ſupplied by D'Avaux, "Powis, Berwick, the Biſhop of Cheſter, and others of his zealous ad- "herents. He now iſſued five ſeveral proclamations: by the firſt, he "ordered all Proteſtants who had lately abandoned the kingdom, to return "and accept his protection, under the ſevereſt penalties; and that his ſub- "jects of every perſuaſion ſhould unite againſt the Prince of Orange. The "ſecond was calculated to ſuppreſs robberies; commanding all Catholics, "not of his army, to lay up their arms in their ſeveral abodes: a third "invited the country to carry proviſions to his troops: by the fourth he "raiſed the value of money: and the laſt ſummoned a parliament to meet "at Dublin on the 7th day of May; and which did meet, and ſit from "that day to the 12th of July, and then adjourned to the 12th of Novem- "ber following.†

After theſe ſolemn and formal acts of ſovereignty, the ſcene changed to open warfare. The defenders of Derry and the Enniſkilleners ſupported the cauſe of the revolutioniſts againſt James's forces, till the arrival of an Engliſh army of 40,000 men under Schomberg, which was afterwards

* 3 Lel. p. 523.

† As by the turn of events all acts done by James in Ireland after his abdication of the crown of England, are now conſidered as acts of rebellion, or uſurpation upon the royal powers and prerogatives of King William, it would not be decent to refer to them for any other purpoſe, than that of proving from them, that the bulk of the Iriſh nation, who ſtill ſupported and ſubmitted to his authority, ſincerely believed they were not committing rebellion againſt their lawful ſovereign. As pieces of hiſtorical curioſity, will be found in the Appendix, No. XLIV. the names of thoſe who ſat in this parliament, the king's ſpeech to the parliament, their addreſs to the king, the titles of the acts, and the preamble to the bill which paſſed the commons for repealing the Act of Settlement.

headed

headed by William in perſon. In order to blacken and calumniate the great body of the Catholics, who at this time from principle and duty obeyed James, to whom they had ſworn allegiance, Archbiſhop King, and after him many of our modern authors, have repreſented the Iriſh army as an hoard of undiſciplined rebels, indulging in the extreme of infuriate licentiouſneſs. His grace lays the whole war to the account of Lord Tyrconnel, who could not be prevailed on to defer ſending the army to the North till King James's arrival, *but haſted to make the parties irreconcileable, by engaging them in blood and by letting looſe the army to ſpoil and plunder.* (p. 119.) The truth however is, and it ought not to be ſuppreſſed, that the Proteſtants in the North were worſe treated by, and ſuffered more from William's army in one month, than they had from the Iriſh army from March to the end of Auguſt, when Schomberg landed, although during thoſe five months the Iriſh army were in poſſeſſion of the whole province, except the towns of Derry and Enniſkillen. Dr. *Gorge*, who was then ſecretary to General Schomberg, in writing to Colonel Hamilton, whoſe eſtate lay in that country, gives the moſt pointed refutation of this malevolent untruth of the archbiſhop.* In this letter he informs us, how "it was reſolved to treat the Iriſh Proteſtants of Ulſter rather as enemies than friends. That the goods and ſtocks of the Proteſtant inhabitants once ſeized by the enemy were forfeited, and ought not to be reſtored, but given as encouragement to the ſoldiers: that their (the Proteſtants) oaths and complaints were neither to be believed or redreſſed; that ſo an eaſier and ſafer approach might be made to invade the little left them by the Iriſh: that free quartering was the leaſt retaliation that Proteſtants could give, for being reſtored to their former eſtates. If you add to theſe, the preſſing of horſes at pleaſure, denying the people bread, or ſeed of their own corn, though the general by his public proclamation requires both, and ſome openly and publicly contemning and ſcorning the ſaid proclamation, whereby multitudes of families are already reduced for want of bread, and left only to beg, and ſteal, or ſtarve; theſe being the practices, and theſe the principles, and both as well known to you as to me, it cannot be wondered that the oppreſſed Proteſtants here ſhould report us worſe than the

* This letter being a very valuable document of a part of Iriſh hiſtory moſt groſsly miſrepreſented, is given in the Appendix, No. XLV.

Iriſh. To me it ſeems moſt ſtrange, but yet it is true, that notwithſtanding all the violence, oppreſſion, and wrong done by theſe (the Enniſkillen and Derry forces), and other of our army, on the impoveriſhed, oppreſſed, and plundered Proteſtant inhabitants of this province they have had from us, yet you know what I eſteem as a great preſage of future good, they continue and remain as firm and faithful to us, as the Iriſh Papiſts againſt us. How frequently do we hear them tell us, that though we continue to injure them, rob and deſtroy them, yet they muſt truſt in us, and be true and faithful to us." What other teſtimony can be ſo concluſive, as the evidence of Schomberg's own ſecretary, to prove that the Iriſh Proteſtants ſuffered leſs from the ſpoil and plunder of Tyrconnel's than Schomberg's army? And that eye witneſs of the fact, whoſe intereſt it was to enhance the excellence and value of William's army, commends the diſcipline and good government of King James's army, as decidedly ſuperior to thoſe of King William's.

Of all periods in the Iriſh hiſtory the year 1689 is perhaps the moſt critically important, and requires the chaſteſt colouring. The various acts by which James abdicated the crown of England, viz. by ſurrendering the executive power, diſbanding his army, burning the writs for convening a parliament, caſting the great ſeal into the river, abandoning his poſt, flying the kingdom, and leaving the invader in poſſeſſion of the throne, as well as the affections of the majority of the people, could not be pretended to be drawn into a precedent for Ireland, which for want of union, was then an abſolutely independent kingdom: the preſence of the ſovereign, or his deputy, ſummoning all his liege ſubjects to their allegiance, bid defiance to all ſpeculative grounds for diſpenſation or ceſſation of their former oaths: the reſiſtance made againſt the attempts of a foreign invader with an army of foreigners, left it no longer dubious, on which ſide the duty of loyalty called forth every true and faithful ſubject of the King of Ireland; and the great revolutionary principle emanating from the will of the people in England, operated more than proportionably in the inverſe ratio upon Ireland. In order to weigh the conduct of the Iriſh of that day, in the true ſcale of impartial juſtice, it muſt be cleared of every idea of the then probable, ſince certain ſucceſs and happy reſult of the revolution of 1688: and it will be impoſſible for any man, who admits that Ireland then was an independent kingdom, that it enjoyed the ſame conſtitution as England, that ſuch conſtitution is formed upon the fair Whig principles

upon

upon which the revolution in England was effected, to aver that an Iriſhman who had ſworn allegiance to King James, ſummoned by him to defend his perſon, crown, and country from the invaſion of the Prince of Orange, and a foreign army under Marſhal Schomberg, willing, like the majority of his countrymen, that the crown of Ireland ſhould be worn by its hereditary monarch, ſhould, in obeying his natural ſovereign, become guilty of rebellion and treaſon, whilſt that natural ſovereign continued to wear his hereditary crown within his own kingdom. Such *hiſtorically* is the caſe of the Iriſh, who were **legiſlatively* declared *rebels* and puniſhed as *traitors* for obeying their ſovereign, whilſt he continued the functions of the executive within the realm of Ireland.

Steadily as the Iriſh adhered to their ſovereign, to whom they owed natural allegiance, which moſt of them had confirmed upon oath, yet it

* As the parliaments both of England and Ireland have declared the acts of the Iriſh parliament that ſat under James, to be acts of rebellion and treaſon, we can make no other than an hiſtorical uſe of them. 7 Wm. III. c. iii. *An Act declaring all Attainders and all other Acts made in the late pretended parliament to be void.* Foraſmuch as ſince the happy acceſſion of his Majeſty King William, and the late Queen Mary of bleſſed memory, to the imperial crown of England, whereunto this kingdom of Ireland is inſeparably annexed, united, and belonging, no parliament could or ought to be holden within this kingdom, unleſs by their majeſties authority; yet, nevertheleſs, divers perſons, during the late war and rebellion in this kingdom, did, on or about the ſeventh day of May, one thouſand ſix hundred and eighty-nine, aſſemble themſelves at or near the city of Dublin, without authority derived from their majeſties, and in oppoſition thereto; and being ſo aſſembled, did pretend to be, and did call themſelves by the name of a parliament, and acting in concurrence with the late King James, did make and paſs ſeveral pretended acts or ſtatutes, and did cauſe the ſame to be placed and recorded amongſt the records and proceedings of parliaments; all which pretended acts were formed and deſigned in manifeſt oppoſition to the ſovereignty of the crown of England, and for the utter deſtruction of the Proteſtants and the whole Proteſtant intereſt in this kingdom, and are and were null and void to all intents and purpoſes whatſoever: and whereas their ſaid majeſties, out of their pious and princely care of, and for their dutiful and loyal Proteſtant ſubjects of this kingdom, and for their better ſecurity and relief, by an act of their parliament of England, made at Weſtminſter in the firſt year of their ſaid majeſties reign, were graciouſly pleaſed to enact and declare, "That the ſaid pretended parliament, ſo as aforeſaid aſſembled at "Dublin, was not a parliament, but an unlawful and rebellious aſſembly; and that all acts "and proceedings whatſoever, had, made, done, or paſſed, or to be had, made, done, or paſſed "in the ſaid pretended parliament, ſhould be taken, deemed, adjudged, and declared to be null "and void to all intents, conſtructions, and purpoſes whatſoever." For which the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, do return our moſt hearty and unfeigned thanks to his moſt ſacred majeſty.

would be doing them injuſtice not to allow them the merit of the moſt depurated loyalty in their attachment to King James. Although he were their natural hereditary monarch, and profeſſed the ſame religion as the majority of the Iriſh nation, yet was he far from being in perſonal favor with them. The conduct of the Stuarts to the Iriſh had already weaned them from all perſonal affection for that family: the daſtardly flight of James from England, without even attempting a ſtand againſt his rival, filled with contempt and indignation a people of quick ſympathy and natural bravery. James's natural character was reſerved and auſtere, and when he was in Ireland it was rendered moroſe and petulant from miſfortunes; qualities ill-calculated to gain the warm and grateful hearts of a people ſupereminently ſenſible to favor or gratification. This unfortunate monarch had, moreover, imbibed an unaccountable diſlike to the Iriſh; and diſlikes are generally reciprocal. As little alſo were the principles, judgment, and feelings of Tyrconnel in uniſon with thoſe of his ſovereign. The Iriſh, however, never ſwerving from their allegiance, naturally availed themſelves of the perſonal preſence of their ſovereign, to attain the objects of their wiſhes in a conſtitutional manner; and in theſe they rather inſiſted upon, than requeſted the concurrence of their ſovereign.*

It behoves the hiſtorian to repreſent to his reader the bulk of the Iriſh

* A ſingular illuſtration of this obſervation is to be found in Leſley, p. 104. "It is a melancholy ſtory (if true) which Sir Theobald Butter, ſollicitor general to King James in Ireland, "tells of the Duke of Tyrconnell's ſending him to King James with a letter about paſſing ſome "lands for the ſaid duke; he employing Sir Theobald in his buſineſs, gave him the letter open "to read, which Sir Theobald ſays he found worded in terms ſo inſolent and impoſing, as would "be unbecoming for one gentleman to offer to another. Sir Theobald ſays he could not but re"preſent to the duke the ſtrange ſurprize he was in, at his treating the king at ſuch a rate, and "deſired to be excuſed from being the meſſenger to give ſuch a letter into the king's hands. "The duke ſmiled upon him, and told him he knew how to deal with the king at that time, "that he muſt have his buſineſs done: and for Theobald's ſcruple, he ſealed the letter, and told "him, now the king cannot ſuppoſe you know the contents, only carry it to him as from me. "Sir Theobald did ſo, and ſays he obſerved the king narrowly as as he read it, and that his "majeſty did ſhew great commotion, that he changed colours, and ſighed often, yet ordered "Tyrconnell's requeſt, or demand rather, to be granted. Thus ſays Sir Theobald. Many par"ticulars of the like inſolence of theſe Iriſh to King James might be ſhewn, but I would not "detain the reader; what I have ſaid is abundantly ſufficient to ſhew how far it was from his own "inclinations, either to ſuffer or do ſuch things as were thus violently put upon him by the Iriſh "in his extremity."

nation,

nation, which conſiſted of Roman Catholics, at this time acting under the full conviction, that their loyalty could only be ſhewn in their obedience to their natural ſovereign King James. They could not be bounden to this allegiance, whilſt any other part of the nation owed allegiance to another ſovereign: it was therefore conſiſtent with their principle, that all who foreſwore their allegiance to King James ſhould be treated as rebels and traitors. The Iriſh Catholics, like all other human beings, muſt be ever conſidered to be actuated by the common feelings of ſocial nature. They were ſenſible of the aſcendancy which circumſtances had given them over their ſovereign, and were naturally encouraged to make his compliance and aſſent ſubſervient to their wiſhes, for what they conſidered conducive to the intereſt and welfare of themſelves and country. The ſeveral acts therefore of this parliament are to be conſidered rather as the acts of the Iriſh nation, than the wiſhes of James; and they are here noticed, to trace the proſpects of national happineſs and proſperity, in which the Catholics at that time placed their hopes.

The chief of theſe acts were the Act of Attainder, and the Act for repeal of the Acts of Settlement.* The firſt of theſe acts, which is uſually ſpoken of

* Theſe acts are given in the Appendix, No. XLVI. and No. XLVII. as hiſtorical documents; to neither of which it appears King James was himſelf diſpoſed: he could not however, particularly as he was then circumſtanced, withſtand the general wiſh of his Iriſh people. Leſlie thus ſpeaks of James's conduct in Ireland: (p. 99.) "And even as to his carriage in Ireland, I have "heard not a few of the Proteſtants confeſs, that they owed their preſervation and ſafety, next "under God, chiefly to the clemency of King James, who reſtrained, all he could, the inſolence "and outrage of their enemies, of which I can give you ſome remarkable inſtances, and good "vouchers. I appeal to the Earl of Granard, whether Duke Powis did not give him thanks "from King James, for the oppoſition he made in the Houſe of Lords to the paſſing the Act of "Attainder, and the Act for Repeal of the Acts of Settlement; and deſired that he and the "other Proteſtant lords ſhould uſe their endeavours to obſtruct them. To which the Lord "Granard anſwered, that they were too few to effect that; but if the king would not have them "paſs, his way was to engage ſome of the Roman Catholic lords to ſtop them. To which the "duke replied with an oath, that the king durſt not let them know that he had a mind to have "them ſtopt. I farther appeal to that noble lord the Earl of Granard, whether the ſame day that "the news of the driving the Proteſtants before the walls of Derry come to Dublin, as his lord-"ſhip was going to the Parliament Houſe, he did not meet King James, who aſked him where he "was going? His lordſhip anſwered, to enter his proteſtation againſt the repeal of the Acts of "Settlement: upon which King James told him that he was fallen into the hands of a people "who rammed that and many other things down his throat. His lordſhip took that occaſion to

of by modern hiſtorians as the act for attainting Iriſh Proteſtants, beſpeaks in its title the whole purport and tendency of the act: *For Attainder of divers Rebels, and for preſerving the Intereſt of loyal Subjects.* It contains not one word that relates even remotely to any religious diſtinction: and the preamble of the act refers wholly to thoſe rebellious and traitorous ſubjects, who had invited and aſſiſted the Prince of Orange, the king's unnatural enemy, to invade that kingdom. At that time it was not a conflict between Proteſtants and Catholics, nor between Whigs and Tories, nor yet between an Engliſh and an Iriſh party: it was a broad open conteſt between *Jacobites* and *Guillamites*; the former headed by the natural hereditary monarch, who had not reſigned or abdicated but was defending the crown of Ireland againſt a foreign invader; the latter headed by a foreign prince, who, againſt the will of the majority of the nation, was working his way to the throne of Ireland by the ſword, after having been ſeated upon that of England by the invitation of the people of England, who by James's abdication had found themſelves without a ſupreme executive magiſtrate. In England the change of government in 1688 was a revolution of principle rather than of violence: in Ireland it was a hard fought conqueſt. This may be properly termed the firſt real conqueſt of Ireland by the ſword: the unſucceſsful became the *rebel* by the fortune of the day.

Although James were averſe from paſſing the acts I have already mentioned, it is probable that he ſtrongly encouraged another act which paſſed, **for the advance and improvement of trade and for encouragement and increaſe of ſhipping and navigation*, which would have operated greatly to the welfare and proſperity of Ireland; inaſmuch as it purported to throw open to Ireland a free and immediate trade with all our plantations and colonies; to promote ſhip building, by remitting to the owners of Iriſh built veſſels, large proportions of the duties of cuſtom and exciſe, encourage ſeamen by exempting them for ten years from taxes, and allowing them the freedom of any city or ſea port they ſhould chuſe to reſide in, and improve the Iriſh navy by eſtabliſhing free ſchools for teaching and inſtructing

" to tell his majeſty of the driving before Derry: the king told him that he was grieved for it; " that he had ſent immediate orders to diſcharge it; and that none but a barbarous Moſcovite " (for ſo he ſtiled General Roſen who commanded that driving, who thereby it ſeems was bred or " born in Moſcovy) could have thought of ſo cruel a contrivance."

* Which ſee in the Appendix, No. XLVIII.

the

the mathematics and the art of navigation, in Dublin, Belfaſt, Waterford, Cork, Limerick, and Galway. If James looked up to any probability of maintaining his ground in Ireland, he muſt have been ſenſible of the neceſſity of an Iriſh navy: no man was better qualified to judge of the utility of ſuch inſtitutions than this prince. He was an able ſeaman, fond of his profeſſion; and to his induſtry and talent does the Britiſh navy owe many of its beſt ſignals, regulations and orders. His firmneſs, reſolution, and enterpriſe, which had diſtinguiſhed him, whilſt Duke of York, as a ſea officer, abandoned him when king, both in the cabinet and the field.

The battle of the Boyne, which was fought on the 1ſt of July, 1690, turned the ſcale of the kingdom: there William, although he commanded a conſiderable ſuperiority of forces, attended to the duties of a vigilant, ſteady, and intrepid general; he ſhared the danger of his army, encouraging it by his preſence, voice, and example, even after he had been wounded, and preſſed by his officers to retire from the action and be more cautious of his perſon: whilſt James ſtood at a ſecure diſtance a quiet ſpectator of the conteſt for his crown; ſo fearful of his enemy, or diffident of himſelf or his troops, that his chief concern and preparation before the battle were to ſecure his perſonal retreat.* He fled with precipitancy to Dublin, and from thence to Waterford,

* When James, after his flight, arrived in Dublin, he had the ungracious imprudence to reflect upon the cowardice of the Iriſh. According to a printed account, in the nature of a bulletin, circulated through London at the time of theſe tranſactions in Ireland: "At five this morning, "being Wedneſday, the 2d of July, King James having ſent for the Iriſh lord mayor and ſome "principal perſons to the caſtle, told them, that he found all things againſt him; that in England "he had an army which would have fought, but they proved falſe and deſerted him; that here he "had an army which was loyal enough, but would not ſtand by him: he was now neceſſitated to "provide for his ſafety, and that they ſhould make the beſt terms for themſelves that they could. "He told his menial ſervants, that he would have no further occaſion to keep ſuch a court as he "had done, and that therefore they were at liberty to diſpoſe of themſelves. He deſired them all "to be kind to the Proteſtants, and not injure them or their city; for though he quitted it, he did "not quit his intereſt in it: and ſo with two or three in company he went to Bray, and along by "the ſea to Waterford; having appointed his carriages to meet him another way. We hear he "did not ſleep till he got on ſhip-board; and having been once driven in again, is ſince clear gone "off." It is alſo reported, that when James arrived late at night at the caſtle, the Lady (then ſtiled Ducheſs) Tyrconnel received him with the moſt ſympathizing reſpect and condolence, when the king ſarcaſtically complimented her upon the alertneſs of her runaway countrymen; to which, with

Waterford, where a frigate was ready to convey him back to France. Thus did he leave the worſted relics of his army to make the beſt ſtand againſt the enemy, and procure from him the beſt terms their perſonal bravery would entitle them to. The Iriſh army under Tyrconnel and Sarsfield made a very vigorous reſiſtance againſt a ſuperior well-diſciplined army, acting under the firſt general of Europe, until they ſurrendered the town of Limerick, which was their laſt hold, on the 3d of October, 1691, upon articles* which ſufficiently prove in what eſtimation for valor and ſteadineſs King William held them, even after the many advantages he had gained over them. Thus was Ireland formally and finally reduced by force of arms to the revolutionary government of King William.

The following compendious ſketch of this reign, by the late Earl of Clare, ſhall cloſe this Chapter. "After the expulſion of James from the throne "of England, the old inhabitants made a final effort for the recovery of "their ancient power, in which they were once more defeated by an Engliſh "army; and the ſlender relics of Iriſh poſſeſſion became the ſubject of "freſh confiſcation. From the report made by the commiſſioners appointed "by the parliament of England in 1698, it appears, that the Iriſh ſubjects "outlawed for the rebellion of 1688, amounted to three thouſand nine "hundred and ſeventy-eight, and that their Iriſh poſſeſſions, as far as could "be computed, were of the annual value of two hundred and eleven "thouſand ſix hundred and twenty-three pounds; compriſing one million "ſixty thouſand ſeven hundred and ninety-two acres. This fund was ſold "under the authority of an Engliſh act of parliament, to defray the ex-"pences incurred by England in reducing the rebels of 1688; and the "ſale introduced into Ireland a new ſet of adventurers.

"It is a very curious and important ſpeculation to look back to the "forfeitures of Ireland incurred in the laſt century. The ſuperficial con-"tents of the iſland are calculated at eleven million forty-two thouſand

with becoming ſpirit, ſhe replied, that his majeſty had at leaſt the advantage of any of them. There is no queſtion, but that the Iriſh would have ſtood by James to the laſt, had he not ſo ſhamefully fled. Although his army retreated in good order, ſo as to command the admiration of the enemy, yet, indignant at the daſtardly conduct of their commander, they cried out generally to the enemy, as they retreated, "exchange kings and we will fight the battle over again."

* For which ſee Appendix, No. XLIX.

"fix

" ſix hundred and eighty-two acres. Let us now examine the ſtate of " forfeitures:

	Acres.
" In the reign of James I. the whole of the province of Ulſter was confiſcated, containing — —	2,836,837
" Set out by the Court of Claims at the Reſtoration —	7,800,000
" Forfeitures of 1688 — — —	1,060,792
Total	11,697,629

" So that the whole of your iſland has been confiſcated, with the exception " of the eſtates of five or ſix families of Engliſh blood, ſome of whom had " been attainted in the reign of Henry the VIIIth, but recovered their " poſſeſſions before Tyrone's rebellion, and had the good fortune to eſcape " the pillage of the Engliſh republic inflicted by Cromwell; and no in- " conſiderable portion of the iſland has been confiſcated twice, or perhaps " thrice, in the courſe of a century. The ſituation therefore of the Iriſh " nation at the revolution, ſtands unparalleled in the hiſtory of the in- " habited world. If the wars of England carried on here, from the reign " of Elizabeth, had been waged againſt a foreign enemy, the inhabitants " would have retained their poſſeſſions under the eſtabliſhed law of civilized " nations, and their country have been annexed as a province to the Bri- " tiſh empire."

PART III.

OF THE STATE OF THE IRISH NATION, FROM THE REVOLUTION UNDER JAMES II. TO THE CLOSE OF THE UNION.

CHAPTER I.

THE REIGNS OF WILLIAM AND MARY, AND WILLIAM.

THE Revolution of 1688 opens to our view a new ſcene of Iriſh politics. Whatever civil advantages were gained or eſtabliſhed at that epoch in England, vainly do the Iriſh look up to it, as the æra of their commencement or improvement of conſtitutional liberty. Then more than ever was Ireland treated as a conquered people, its independence violated, its national conſequence and dignity debaſed. It appears to have been the ſyſtematic policy of the Britiſh cabinet of that day, not only to trample on the rights of the individuals, through their immediate governors, but to extinguiſh the very idea of an independent legiſlature in Ireland.*

When

* Mr. Burke, viewing this ſituation of his country as a ſtateſman and a philoſopher, has left a maſterly portrait of it. (*Letter to Sir Her. Lang. p.* 44.) "By the total reduction of the kingdom "of Ireland in 1691, the ruin of the native Iriſh, and in a great meaſure too of the firſt races of "the Engliſh, was completely accompliſhed. The new intereſt was ſettled with as ſolid a ſtability "as any thing in human affairs can look for. All the penal laws of that unparalleled code of "oppreſſion, which were made after the laſt event, were manifeſtly the effects of national hatred "and ſcorn towards a conquered people, whom the victors delighted to trample upon, and were

When we throw back our attention to the circumſtances of thoſe days, it appears unaccountable, that the articles of Limerick, to which the great ſeal of England had been affixed, ſhould have been ſo quickly and ſo barefacedly infringed in the face of the nation. Two months had not elapſed, when, according to the teſtimony of Harris, the avowed encomiaſt of William, the lords juſtices and General Ginckle endeavoured to render the firſt of thoſe articles of as little force as poſſible. Nay, * " the juſtices " of the peace, ſheriffs, and other magiſtrates preſuming on their power in " the country, did, in an illegal manner, diſpoſſeſs ſeveral of their majeſties " ſubjects not only of their goods and chattels, but of their lands and " tenements, to the great diſturbance of the peace of the kingdom, ſub- " verſion of the law, and reproach of their majeſties government." So little delicate was the government, at this time, of the obſervance of them, that Harris ſcrupled not to confeſs, that " Capel, lord juſtice in 1693, proceeded " as far as it was in his power to infringe the articles of Limerick." † We ſhall be leſs ſurprized at this open violation and defiance of the articles of Limerick, when we conſider that they were boaſted of by the friends of

" not at all afraid to provoke. They were not the effects of their fears, but of their ſecurity. " They who carried on this ſyſtem, looked to the irreſiſtible force of Great Britain for their ſup- " port in their acts of power. They were quite certain, that no complaints of the natives would " be heard on this ſide of the water, with any other ſentiments than thoſe of contempt and in- " dignation. Their cries ſerved only to augment their torture. Machines which could anſwer " their purpoſes ſo well muſt be of an excellent contrivance. Indeed at that time in England the " double name of the complainants, *Iriſh* and *Papiſts*, (it would be hard to ſay ſingly, which was " the moſt odious) ſhut up the hearts of every one againſt them. Whilſt that temper prevailed in " all its force to a time within our memory, every meaſure was pleaſing and popular, juſt in pro- " portion as it tended to haraſs and ruin a ſet of people, who were looked upon as enemies to God " and man; and indeed as a race of bigotted ſavages, who were a diſgrace to human nature itſelf."

* Harris's Life of King William, p. 357.

† Ibid. p. 350.

It appears alſo from a letter of the lords juſtices of the 19th of November, 1691, that their lordſhips " had received complaints from all parts of Ireland of the ill treatment of the Iriſh " who had ſubmitted, had their majeſties protection, or were included in articles: and that they " were ſo extremely terrified with apprehenſions of the continuance of that uſage, that ſome " thouſands of them, who had quitted the Iriſh army, and went home with a reſolution not to go " to France, were then come back again, and preſſed earneſtly to go thither, rather than ſtay in " Ireland, where contrary to the public faith as well as law and juſtice, they were robbed of their " ſubſtance and abuſed in their perſons."

James

James as the moſt advantageous capitulation recorded in the annals of war, and for that amongſt other reaſons they were condemned by the Iriſh Proteſtants, and ſome of the moſt violent Whigs in England, as diſhonourable to the arms of William and unjuſt to his beſt friends in Ireland. The Iriſh Proteſtants more apprehenſive of their own danger from the comparative paucity of their numbers, than their brethren in England, more ſeverely cenſured the moderation of William in conſenting to articles favorable to their opponents, and lamented their having perhaps loſt for ever the advantage of cruſhing the Catholics, with ſome ſignal aggravation of rigor, that ſhould take away the poſſibility of their raiſing their heads again. In no ſenſe could the Revolution of 1688 be termed any thing elſe to the Iriſh than a mere conqueſt, and a conqueſt of the harſheſt nature, inaſmuch as it was not followed up by a participation of civil rights and liberties between the conquerors and conquered, but acted upon as a new ground for impoſing additional ſeverities upon the former grievances of the vanquiſhed. "It was (as Mr. Burke obſerved, in defiance of the principles "of our revolution) the eſtabliſhment of the power of the ſmaller number, "at the expence of the civil liberties and properties of the far greater, and "at the expence of the civil liberties of the whole." Under the imperious circumſtances of a great nation's recovering from the agonies of a long and bloody conteſt, it might have been expected, that ſome things ſhould have been neceſſarily done by the executive, until the legiſlative power could be conveniently called upon to ratify and confirm them. But although Ireland, as an independent kingdom, claimed, under William, the ſame rights which it had enjoyed under his predeceſſors; yet did the parliament of England uſurp the right of legiſlating for Ireland, in as free and uncontrouled a manner, as if Ireland had no right to a parliament of its own. Thus in the year 1691, before William had convened an Iriſh parliament, the Engliſh parliament paſſed an act to alter the laws of Ireland, upon the moſt eſſential and fundamental rights of the ſubject, by excluding the Roman Catholics, who then compoſed the decided majority of the nation, from a ſeat in either Houſe of Parliament.* And when a pure

* Viz. 3 William and Mary, c. ii. *An Act for the Abrogating the Oath of Supremacy in Ireland, and appointing other Oaths.* It muſt alſo be remarked, that the 11th ſection of this act contains an exception of perſons compriſed in the Articles of Limerick, which amounts to a legiſlative recognition of them.

Proteſtant

Proteſtant parliament had been convened in the year 1692, ſo little ſatisfied with it was the parliament of England, that they continued their legiſlative encroachments upon Ireland, by enacting whatever laws they thought proper for regulating and ſettling the legal, civil, military, and eccleſiaſtical departments in Ireland, for checking their commerce and diſpoſing of their property. The Roman Catholics being ſhut out of parliament, either withdrew or were driven out of the field of politics. Their ſubmiſſive forbearance under a moſt ſevere extenſion of the penal code during the preſent and ſubſequent reign, is the ſingle point relating to them which has arreſted the notice of any hiſtorian of that day. This bulk of the nation had a phyſical, not a political exiſtence; nor were they ever brought under the conſideration of the government, but as objects of ſome new rigor or ſeverity.

In the higher orders, the progreſs of the Reformation had latterly been much more rapidly extended than formerly. And the Engliſh who were now domiciliated in Ireland, were, from plantations, forfeitures, and other cauſes, ſurprizingly multiplied. Theſe two deſcriptions of perſons, whoſe ultimate aim in the former reigns had been to acquire an aſcendancy over the old native Catholic intereſt of the country, now began to conſider themſelves an independent Iriſh intereſt: and although the Revolution did not let in the Iriſh nation immediately to thoſe civil rights and liberties which it imparted or ſecured to England, yet it enkindled in thoſe who gave into it, a ſpirit of freedom, which diſpoſed them to inſiſt upon the conſtitutional rights of Iriſhmen.

In no ſenſe whatever did the Revolution of 1688 open to Ireland any of thoſe conſtiutional bleſſings which were ſo ſtrongly aſſerted by it in England. The ſupporters of the Whig intereſt in Ireland, differed from thoſe who forwarded the Revolution in England, in principle, in action, and in views. The Iriſh Whigs of that day were the relics of the Oliverian party, avowing no other principle than that of retaining the monopoly of the power of the few, over the bulk of the nation; acting upon them with arbitrary ſeverity, in order to rivet the whole native power of the country in diſgraceful and everlaſting thraldom. So deeply rooted was this *pſeudo Whiggiſm* of 1649, implanted in moſt of the Iriſh Proteſtants of that day, that the lapſe of more than a century has not eradicated it. It will be the candid duty of the hiſtorian, to trace its progreſs and operation upon the

the nation at large, and to diſcriminate between their political conduct towards their country, and that of another Proteſtant party, who have from time to time endeavoured to ſet up the genuine principles of the Engliſh Revolution, againſt the ſyſtematic abuſe of them by their Proteſtant opponents in Ireland.* It has been obſerved by a late reſpectable hiſtorian,† that "the perſons whom the king appointed lords juſtices, diſcovered an arbitrary "ſpirit, and great partiality in the diſpenſation of juſtice: the trial of "crimes was often conducted in a ſummary way, and without regard to the "eſſential forms of law: evidence was ſuppreſſed with the connivance of the "judges, the principal tranſgreſſors were acquitted, whilſt thoſe who acted "under their direction and influence, ſuffered the extreme vengeance of "the laws. But in no caſe did the management of the juſtices appear more "iniquitous and oppreſſive than in regard to the Iriſh forfeitures. The "moſt beneficial leaſes were not only retained for themſelves and their "friends, but in the competition for eſtates and farms, the loweſt bidders "were ſometimes preferred, which unavoidably led to the ſuſpicion of "ſecret compenſation being made them for flagrant breach of truſt. Theſe "miſdemeanours and the grievances occaſioned by them, produced com-"plaints and diſaffections, which were made the ground of ſpecific charges, "preſented to the legiſlature in both kingdoms. Enquiries were inſtituted; "important diſcoveries were made; but the extreme intricacy and tediouſ-"neſs of this buſineſs, the private concerns of the parties in England, and "the induſtry of powerful individuals, who were not themſelves free from "all acceſſion to the guilt alledged, prevented any effectual redreſs of public "abuſes, and the puniſhment of ſtate delinquents."

Lord Sydney having been created lord lieutenant, immediately iſſued writs and convened a parliament; the primary object of which was to raiſe ſupplies to diſcharge the debts contracted during the war. There had been no parliament in Ireland, except that which ſat under James, for the laſt twenty-ſix years: and although the parliament of England had undertaken to

* This is the important clue that can alone lead the reader through the intricate mazes of hiſtorical miſrepreſentation, to a fair unbiaſſed judgment and an unclouded view of the preſent ſtate of Ireland. Out of this ground of difference ariſes the modern diſtinction between the true conſtitutional Whig and Orangeman of Ireland, to which, in the proper time and order, I muſt draw the attention of my reader.

† Sommers's Hiſtory, 1 vol. p. 486.

legiſlate

legiſlate for Ireland on the moſt important matters of ſtate, yet had it not proceeded to the extent of raiſing money directly upon the people of Ireland. The Iriſh parliament could not be inſenſible of the encroachments made on their independence; they felt their conſequence, and manifeſted by their conduct their reſentment of theſe meaſures of government. The commons conſented to grant a ſum not exceeding 70,000*l.* pleading the inability of the people from the calamities of the late wars to encreaſe the grant. They conſidered it to be their indiſputable right to determine in the firſt inſtance both the ſum and the manner of raiſing every ſupply granted to the crown. In violation of this privilege, two money bills, which had not originated with them, were tranſmitted from England, and laid before the Houſe of Commons. In reſentment of this encroachment upon their privileges, they rejected one of them, and from the extreme urgency of the caſe alone they conſented to paſs the other; but not without having entered very pointed reſolutions upon their journals in ſupport of their rights.* His excellency was highly enraged at theſe reſolutions, and in his ſpeech, upon proroguing the parliament, he ſeverely reprimanded them for having, in contravention of the deſign of their meeting, undutifully and ungratefully invaded their

* 2 Journ. 28. "21ſt of October, 1692. *Reſolved*, that it was, and is the ſole and undoubted "right of the commons of Ireland, in parliament aſſembled, to prepare and reſolve the ways and "means of raiſing money. *Reſolved*, that it was, and is the undoubted right of the commons to "prepare heads of bills for raiſing money. *Reſolved*, that notwithſtanding the aforeſaid rights of "the commons, this houſe doth think fit, upon conſideration of the preſent exigencies of affairs, "and the public neceſſity of ſpeedily raiſing a ſupply for their majeſties, to order that a bill, tranſ-"mitted out of England, intituled, An Act for an additional Duty of Exciſe upon Beer, Ale, and "other Liquors, be now read: whereupon the ſaid bill was read the firſt time, and ordered a ſecond "reading to morrow morning at 10 o'clock. *Reſolved, nemine contradicente*, that the receiving or "reading of the ſaid bill, ſo tranſmitted as aforeſaid, be not drawn into precedent hereafter. 28th "of October, 1692. A motion being made, and the queſtion being put, that a bill now on the "table, intituled, An Act for granting to their Majeſties certain Duties for one Year, might be "read, it paſſed in the negative. *Reſolved*, that the ſaid bill be rejected by this houſe. *Reſolved*, "that it be entered in the Journal of this houſe, that the reaſon why the ſaid bill was rejected, is, "that the ſame had not its riſe in this houſe." On the 3d of November, 1692, the lord lieutenant, in a very angry ſpeech, prorogued the parliament, in which he ſeverely reprobated theſe reſolutions, and required the clerk to enter his proteſt (quod vide in Appendix, No. L.) againſt them, that it might remain as a vindication of their majeſties prerogatives and the right of the crown of England in theſe particulars to future ages. After two prorogations, this parliament was diſſolved on the 5th of September, 1693.

majeſties

majeſties prerogative. The commons requeſted permiſſion to ſend commiſſioners to England, in order to lay a full and impartial ſtatement of their conduct before their majeſties; when they were tauntingly aſſured by the lord lieutenant, that *they might go to England to beg their majeſties pardon for their ſeditious and riotous aſſemblies.* The lord lieutenant in juſtification of his conduct procured the opinion of the judges againſt the right, which the commons claimed of having money bills originate with them. This unexpected and ungracious prorogation created general diſcontent: ſeveral bills of importance remained to be perfected, ſeveral grievances to be redreſſed. Sydney became unpopular; and government found it prudent to recal him.

Upon the removal of Lord Sydney, the government was veſted in three juſtices, Lord Capel, Sir Cyril Wyche, and Mr. Duncombe. Difference of principle diſunited their government, which ſhortly after was concentered in Lord Capel, as lord deputy. He beſt knew the diſpoſition and wiſhes of the *Engliſh* cabinet, and warmly eſpouſed the intereſt of the Engliſh ſettlers, and as eagerly oppoſed the claims of the Iriſh under the articles of Limerick. Sir Cyril Wyche and Mr. Duncombe, regardleſs of court favor, ſought impartially to give the full effect to the articles of Limerick, upon which the court party and the Proteſtants in general, looked with a jealous eye, as prejudicial to their intereſt. The inflexibility of Wyche and Duncombe ſoon worked their removal: and the accommodating zeal of Capel enabled him to diſplace all thoſe, who thwarted *his* deſigns. Several changes were made in the adminiſtration, and a new parliament was convened.

The buſineſs of this ſeſſion was at firſt undiſturbed, and the ſupplies which had been required, were quietly granted. Several new penal ſtatutes were enacted againſt the Catholics;* ſome of which were in direct contravention to the articles of Limerick. Yet a law was made in this parliament for the confirmation of theſe very articles;† but which in fact was an abridge-

* Such were, An Act to reſtrain foreign Education, 4 William and Mary c. iv. An Act for the better Securing the Government by diſarming Papiſts, 4 William and Mary c. v.—An Act for baniſhing all Papiſts exerciſing any Eccleſiaſtical Juriſdiction, and all regulars of the Popiſh Clergy out of the Kingdom, 9 William III. c. i. An Act to prevent Proteſtants intermarrying with Papiſts, 9 William c. iii. An Act to prevent Papiſts being Solicitors, 9 William c. xiii.

† An Act for the Confirmation of Articles, made at the Surrender of the City of Limerick, 9 William III. c. ii.

ment rather than a confirmation of them in ſeveral inſtances.* Notwithſtanding the tide of courtly prejudice againſt the tendency and obſervance of theſe articles, Sir Charles Porter, the chancellor, nobly dared to ſtand up in ſupport of them. This conduct of the chancellor brought upon him the whole vengeance of the caſtle. The lord deputy is reported, with the aſſiſtance of his friends and creatures, to have procured a charge to be fabricated againſt him, by which he was accuſed of deſigns hoſtile to government. In ſupport of the accuſation, a motion was made in the Houſe of Commons, but on being heard in his own juſtification, he was moſt honourably acquitted.

However glorious in the cauſe of civil freedom were the exertions of our anceſtors at the revolution, yet the unbiaſſed mind muſt neceſſarily doubt the purity of their patriotiſm, when it contemplates the Engliſh parliament and government oppoſing that very liberty in Ireland, which they ſo zealouſly ſupported in England. The fermentation between England and Ireland became alarming.* It was no longer a conteſt between a conqueror and an oppreſſed people, reclaiming their natural, civil, or religious rights. The bulk of the nation was ſo diſpirited and reduced under their ſufferings, that their feeble moans were ſcarcely heard on their own ſhores, much leſs acroſs St. George's Channel: they exiſted only as the paſſive objects of perſecution. The conflict was with that very Proteſtant aſcendancy in Ireland, which it had been the primary policy of the Engliſh cabinet for the laſt century to eſtabliſh, and which now only had been effectually accompliſhed. It was impoſſible that civil liberty ſhould make the progreſs it did in England, and that Ireland ſhould be more than inſenſible of its bleſſings. The Iriſh legiſlature was called upon, to ſurrender and renounce thoſe very rights, which the Engliſh parliament had ſo glorioufly aſſerted. Mr. Molyneux, one of the members for the univerſity of Dublin, a very popular character, was the moſt forward in the cauſe of Iriſh patriotiſm. In

* Whilſt this bill was pending, a petition was preſented by Mr. Cuſac and ſome few, on behalf of themſelves and others, compriſed in the articles of Limerick, ſetting forth that in the bill there were ſeveral clauſes, that would fruſtrate the petitioners of the benefit of the ſame: and if paſſed into a law, would turn to the ruin of ſome, and the prejudice of all perſons entitled to the benefit of the ſaid articles, and praying to be heard by counſel to the ſaid matters: which having been preſented and read, it was unanimouſly reſolved, that the ſaid petition ſhould be rejected. 2 *Journ. Com.* *p.* 194.

1698,

1698, he publiſhed his famous book, intituled "*The Caſe of Ireland's being bound by Acts of Parliament in England ſtated,*" which greatly encreaſed his reputation, influence, and popularity within and without the parliament of Ireland.*

This book was written in a ſtrain of independent diſcuſſion and ſpirited aſſertion, to which Ireland had hitherto been a ſtranger. The author conſidered how Ireland originally became annexed to the crown of England, how far this connection was founded in conqueſt, what were the true and lawful rights of the conquerors over the conquered, and whether thoſe rights, whatever they might be, extended to poſterity indefinitely; and finally, what conceſſions had been made to Ireland, and what were the opinions of the learned, who had handled the ſubject: he cloſed with ſtrong inferences in ſupport of a perfect and reciprocal independence of each kingdom upon the other.† As by the firſt act, which the Iriſh legiſlature paſſed under William

* The Biſhop of Derry, who publiſhed his book in 1723, and dedicated it to William Conolly, Eſq. the then ſpeaker of the Houſe of Commons ſays, p. 138, "that this gentleman was allowed "by every body, to write like a perſon of good parts, good learning, and good breeding: and it "was generally thought an excuſable failure in his caſe, if his zeal for the honour and intereſt of his "native country ſometimes exceeded his knowledge. But it ſo happened, that immediately upon "the publiſhing of his book, the Engliſh Houſe of Commons made an humble addreſs to the king, "wherein they took notice of *dangerous attempts lately made by ſome of his ſubjects in Ireland, to "ſhake off their ſubjection and dependence upon England,* taking alſo particular notice of the *bold and "pernicious aſſertions of this writer.* Hereupon, adds this learned prelate, ſeveral dabblers in "Engliſh laws and politics, looked upon themſelves as called to arms." The intemperate violence of the Engliſh commons on this occaſion appears from a paragraph in the firſt form of their addreſs, which upon a ſecond reading was prudently omitted; namely, "and that your majeſty would be "pleaſed to order copies of the journals of the laſt parliament, and ſo from time to time of all "ſucceeding parliaments of Ireland, to be tranſmitted into England, in order to be laid before the "parliament here, and to diſcourage all things, which may in any degree tend to leſſen the de-"pendance of Ireland upon England." *Eng. Journ. Com.* 30 *June*, 1698. It is ſingular, that from the ſurrender of Limerick, no public charge or accuſation of any attempt to throw off their dependance upon the crown of England was ever raiſed againſt the Roman Catholics of Ireland. This charge and interference by the Engliſh commons have been ever conſidered by the Iriſh, as unwarrantable and unconſtitutional. The body of Catholics was in no manner implicated in it. This publication of Mr. Molyneux was the firſt effort of notoriety made in Ireland by an Iriſh Proteſtant in favour of the civil liberty of Ireland.

† As it was upon the principle and admiſſion of ſuch previous independence that the union was ultimately effected, nothing can more forcibly illuſtrate the miſchief of that groſs anomaly in poli-

William and Mary, they had eſpecially recognized, that " the kingdom " of Ireland was annexed and united to the imperial crown of England, " and by the laws and ſtatutes of this kingdom (Ireland), was declared " to be juſtly and rightfully depending upon and belonging and for ever " united to the ſame," it was clearly impoſſible to reconcile the theory of perfect independence with the practice: the very exigencies of human policy required, that the predominancy of the power of England ſhould, throughout every department of Iriſh government and legiſlation, command an aſcendancy, againſt which the only remedy lay in an incorporate union. With reaſon then did the late Lord Clare aſſure the Houſe of Peers on the 10th of February, 1800, " that our anceſtors ſaw the ſeeds of diſunion in " the connexion, which at this time ſubſiſted between Ireland and England."

*The Engliſh Houſe of Commons took up the gauntlet with a high hand: a committee was appointed to examine Mr. Molyneux's book, and to report ſuch paſſages as they ſhould find denying the authority of the parliament of England, and alſo what proceedings had taken place in Ireland, that might occaſion the ſaid pamphlet. On the 22nd of June, 1698, the committee reported the obnoxious paſſages, and ſtated, that on enquiry into the proceedings in Ireland, which might occaſion the pamphlet, they found in a bill tranſmitted under the great ſeal of Ireland, during the late parliament there, intituled, " A Bill for the better Security of her Majeſty's Perſon " and Government," that the whole of an act paſſed in England for abrogating the oath of ſupremacy in Ireland, and appointing other oaths, was re-enacted with ſome alterations; and that in the ſame bill, the crown of Ireland was ſtiled the imperial crown of Ireland. Upon this report, the houſe reſolved *nemine contradicente;* " that the book publiſhed by Mr. Mo- " lyneux was of dangerous tendency to the crown and people of England,

tics, *imperium in imperio.* It is a metaphyſical truth, that all independence muſt be reciprocal: and therefore it becomes a matter of more aſtoniſhment, that Mr. Molyneux's arguments, which it is underſtood had been reviſed and peruſed by his friend the great Lock, and from whoſe works ſeveral of them had been borrowed, ſhould have met with ſo different a reception from the advocates and ſupporters of the principles of the revolution in England. Two perſons attempted to anſwer Mr. Molyneux's book, Mr. Atwood, and Mr. Cary: the latter with infinitely more ability than the former. Atwood was a barriſter, and Cary a Briſtol merchant. Of their works the Biſhop of Derry ſaid: " the merchant argues and pleads like a counſellor at law: and the barriſter " ſtrings his ſmall wares together like a ſhopkeeper." (*Hiſt. Lib. p.* 139.)

* Speech of the Earl of Clare, p. 23.

" by

" by denying the authority of the king and parliament of England to bind " the kingdom and people of Ireland, and the ſubordination and dependance, " that Ireland had and ought to have upon England as being united and " annexed to the imperial crown of England." They reſolved alſo, " that " the bill lately tranſmitted from Ireland, whereby an act of parliament " made in England expreſsly to bind Ireland, is pretended to be re-enacted, " had given occaſion and encouragement to forming and publiſhing the " dangerous poſitions contained in the ſaid book." The houſe in a body preſented an addreſs to the king, enlarging in terms of great indignation on the book and its pernicious aſſertions, and on the dangerous tendency of the proceedings of the Iriſh parliament; beſeeching his majeſty to exert his royal prudence to prevent their being drawn into example, and to take all neceſſary care, that the laws which directed and reſtrained the parliament of Ireland in their actings, ſhould not be evaded; and concluding with an aſſurance of their ready concurrence and aſſiſtance in a parliamentary way, to preſerve and maintain the dependance and ſubordination of Ireland to the imperial crown of England. The king anſwered, " that he would " take care, that what was complained of ſhould be prevented and redreſſed " as the commons deſired." Thus were the parliaments of the two countries at iſſue.

It has been the fate of Ireland to experience more harſhneſs from the Engliſh government, than any other part of the Britiſh empire: on none has the hand of the conqueror preſſed ſo heavily. The inflexible tenacity of the Iriſh to their old religion has been generally and not without reaſon, aſſigned as the cauſe of it. Yet ſingular it is, that under a ſovereign, who was called over by the nation as the aſſertor and protector of their rights and liberties, and under the firſt Iriſh parliament, which conſiſted purely of Proteſtant members, the abſolute paramount ſovereignty of England was more loftily claimed and ſternly exerted than at any other period. The laws by which the Engliſh legiſlature prohibited the exportation of wool and woollen manufactures from Ireland, upon pain of confiſcation, impriſonment, and tranſportation, and by which no acquittal in Ireland of any offence againſt theſe ſtatutes was allowed to be pleaded in bar of any indictment upon them within the kingdom of England, were conſidered as grievous uſurpations upon the independent conſtitutional* rights

* It evidently contradicts the firſt principles of our conſtitutional juriſprudence, that a free ſubject after

rights of Ireland. The Engliſh parliament's interference alſo with the Iriſh forfeitures created a new and moſt inveterate ground of jealouſy and rancour between the two legiſlatures.

Although William had been called to the Britiſh throne for the avowed purpoſe of protecting our civil rights and liberties, yet no monarch was ever more thwarted by his parliament in his views and inclinations towards his ſubjects. It might be unfair to charge him with the odium of ſeveral public meaſures, which the violence of party compelled him to yield to. The ſtrong meaſure of withholding the royal aſſent from bills, that had paſſed the two houſes of parliament, could not be expected from William, who ſo peculiarly held his crown by parliamentary tenure. On no occaſion were his feelings ſo ſeverely wounded by the imperious aſcendancy of his Engliſh parliament, as on paſſing the act for reſuming the forfeited eſtates in Ireland. William had exerciſed his diſcretion in making grants of the forfeited lands in Ireland to ſeveral, who had either deſerved well of their country, or had acquired intereſt at court. The commons of England were jealous of the king's favors, and charged his majeſty with the breach of promiſe, that he would not grant away any of thoſe lands, but permit them to be ſold for the uſe of the public, in order to clear the heavy expences of the late war. They accordingly reſolved to ſet aſide the ſeventy-ſix grants he had made. By act of parliament, a commiſſion of ſeven perſons was inſtituted, to enquire into the value of the confiſcated eſtates, which had been diſpoſed of, and into the reaſons, upon which they had been alienated from the public. There certainly was ſome perſonal reſentment againſt the king, in inſtituting the ſcrutiny into the reaſons of the royal grants. The interference of the Engliſh parliament with theſe concerns of Ireland, was unwarrantable, whilſt Ireland had an independent parliament of their own. The Engliſh parliament, however, aſſuming a general tutelary power over every part of the Britiſh empire, actually reſumed theſe grants, which they conſidered the king to have made inconſiderately and extravagantly. The majority of theſe commiſſioners were ſtrongly in the intereſt of the parliament, the

after having been tried upon a penal ſtatute in his own country and acquitted, may be dragged to a foreign land to undergo a ſecond trial for the ſame offence, without the advantage of a jury of his countrymen and peers, and probably without wineſſes for his defence, or reſources for his ſupport.

other

other three were more pliant to the wiſhes of the crown.* The variances between the two contending parties were productive of this beneficial effect to Ireland, that the eyes of the nation were completely opened to the abuſes, which preſcription ſeemed to have ſanctioned in the appropriation of Iriſh forfeitures: and which the Iriſh legiſlature had hitherto been ever either unable or unwilling to reſiſt. In this conteſt the country party prevailed, and† there having been divers groundleſs and ſcandalous aſperſions caſt upon the four commiſſioners who were of that party, the commons reſolved, that they had acquitted themſelves in the execution of that commiſſion with underſtanding, courage, and integrity: and Sir Richard Leving, one of the other three commiſſioners, was committed to the Tower for having been the author of thoſe reports. Ireland on this occaſion was doomed to ſuffer on both ſides; on one from the extravagant grants of the forfeited lands to court favourites, in lieu of applying them to the diſcharge of the national incumbrances, on the other, by the uſurpation and encroachment of the Engliſh parliament over the independent ſovereignty of the parliament of Ireland. The rights of Ireland were wholly loſt in the heat of the conteſt between the court and country party. The former wiſhing to reſerve ſome at leaſt of the forfeited lands to the diſpoſal of the crown, put the queſtion, which paſſed in the negative, and on the next day it was reſolved, "that "the adviſing, procuring, and paſſing the ſaid grants of the forfeited and "other eſtates in Ireland, had been the occaſion of contracting great debts "upon the nation, and levying heavy taxes upon the people: and that "the adviſing and paſſing the ſaid grants was highly reflecting on the king's "honor: and that the officers and inſtruments concerned in the procuring "and paſſing theſe grants, had highly failed in the performance of their

* The court commiſſioners were Henry Earl of Drogheda, Sir Richard Leving, and Sir Francis Brewſter; the parliament commiſſioners were Francis Anneſly, John Trenchard, James Hamilton, and Henry Langford, eſquires: theſe four alone, ſigned the report, which is to be ſeen in the Appendix, No. LI: it accounts for the appropriation of 1,060,792 acres. It would be difficult to point out the ſignal ſervices rendered by Mrs. Elizabeth Villiers (she was Counteſs of Orkney in 1695) in the reduction of Ireland, that entitled her to a grant of 95,649 acres, then worth, per annum, 25,995l. 18s., as will be found by this report. It is to be remarked, that in the ſeventh article of impeachment againſt Lord Somers, is contained a charge, that he did adviſe, promote, and procure, divers like grants of the late forfeited eſtates in Ireland, in contempt of the advice of the commons of England. 3 *vol. Parl. Hiſt. p.* 151.

† Ibid. p. 122.

"truſt

" truſt and duty." Soon after the act of reſumption paſſed, and the violence done to the king's feelings in giving the royal aſſent to it, made a deep impreſſion on his mind and ſpirits, from which he never rallied to the hour of his death. His majeſty's extreme diſpleaſure was expreſſed in his ſpeech to the commons, when they addreſſed him in relation to the Iriſh forfeitures. " * Gentlemen, I was not led by inclination, but thought myſelf obliged " in juſtice to reward thoſe, who had ſerved well and particularly in the " reduction of Ireland out of the eſtates forfeited to me by the rebellion " there, &c." Which anſwer, when the ſpeaker reported it, the commons ſo highly reſented, that they reſolved, " that whoever adviſed it, had uſed " his utmoſt endeavours to create a miſunderſtanding and jealouſy between " the king and his people." The foreneſs of King William on this occaſion is fairly accounted for by the obſervation, that †" whereas the late king, " who came over here a perfect ſtranger to our laws and to our people, " regardleſs of poſterity, wherein he was not likely to ſurvive, thought he " could no better ſtrengthen a new title, than by purchaſing friends at the " expence of every thing, which it was in his power to part with."‡

The principal, if not the only obſtacle, which William had experienced in eſtabliſhing himſelf completely on the throne, was the reſiſtance of King James's Iriſh ſubjects. They were the firſt and laſt in the field in ſupport of the houſe of Stuart: and although ſeveral penal and ſevere laws were paſſed during his reign againſt the Roman Catholics of Ireland, yet it is but juſtice to allow, that the royal aſſent given to them by King William, imported no perſonal diſpoſition in that monarch to haraſs or perſecute his Catholic ſubjects on the ſcore of religion. He is generally panegyrized for his ſpirit of toleration, on account of the act paſſed in the very firſt year of his reign,§ for eaſing his Proteſtant diſſenting ſubjects from the penalties of

* 3 vol. Parl. Hiſt. p. 122.

† Swift's Hiſt. of the Four laſt Years of Ann, p. 240.

‡ The late Earl of Clare in his ſpeech ſo often referred to, (p. 25) ſpeaking of this difference between the two parliaments, tells us, " that the *Engliſh colony* (a term ſtrongly marking that the " Iriſh parliament was not then the repreſentative of the Iriſh nation) however ſore they might have " felt under the ſharp rebuke of their countrymen, were too ſenſible of the dangers by which they " were ſurrounded and their inability to encounter them, to puſh this political quarrel to a breach " with the Engliſh parliament.

§ 1 G. and M. c. 18. An Act for exempting their Majeſties Proteſtant Subjects diſſenting from the Church of England, from the Penalties of certain Laws.

ſeveral

ſeveral laws, which then affected them in common with the Roman Catholics. This, however congenial with the feelings of King William, who was himſelf a Calviniſt or Preſbyterian, had been previouſly arranged by the party that brought him over. It appears certain from Harris's admiſſion and the conſtant claims of the Iriſh Catholics, that William had made them a ſolemn promiſe to procure them ſuch further ſecurity from parliament in the particular of religion, as might prevent them from any future diſturbance on that account. In this, however, they were miſerably diſappointed, not perhaps from that monarch's want of ſincerity and favourable diſpoſition towards them, but from his inability to reſiſt the violence of the party, to which he was compelled to yield, to the ſore annoyance of his own feelings. Had William been better treated by his Engliſh ſubjects, he would have appeared more amiable in their eyes: for in Holland, where his temper was not ruffled by diſappointment and oppoſition, he was unexceptionably tolerant and univerſally beloved.* The unexpected death of the Duke of Gloceſter, the ſon of the Princeſs Ann, in his ſeventeenth year, and the death of the late King James about the ſame time, gave riſe to the act, by which the crown was ſettled on the houſe of Hanover, which was the laſt act paſſed in this reign;† this and the ſubſequent act of abjuration ſecured the Proteſtant ſucceſſion. William's health had for ſome time been on the decline, but his diſſolution was immediately brought on from a fall from his horſe, by which his collar bone was fractured. He died in the fifty-ſecond year of his age, and the thirteenth year of his reign.

* Two principal cauſes however concurred againſt his being beloved by the generality of his Iriſh ſubjects: the firſt was the enactment of ſeveral penal laws againſt the Roman Catholics: the ſecond was his ready co-operation with the parliament of England to ruin the woollen trade of Ireland. "*I ſhall,*" ſaid his majeſty to the Engliſh commons on the 2nd of July, 1698, "*do all that lies in me to diſcourage the woollen manufacture in Ireland.*"

† This act paſſed on the 7th of June, 1701. 13 *Gul. c.* 6. It is entituled, An Act for the further Security of his Majeſty's perſon and the ſucceſſion of the Crown in the Proteſtant Line, and for extinguiſhing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and ſecret abettors. This important event made little ſenſation in Ireland, as the whole body of Roman Catholics, from whom alone any oppoſition to it could have been expected, were excluded from the parliament and every interference with public affairs.

CHAPTER II.

OF THE REIGN OF QUEEN ANNE.

ANN, the daughter of James II. who ſucceeded William, was the laſt of the line of Stuart that filled the Britiſh throne. The glory of the Britiſh arms under the Duke of Marlborough has thrown a glare over the hiſtorical pages of this ſovereign's reign, that has almoſt obliterated the melancholy effects of the ſpirit of party, which infected it throughout. In the meridian heat of Whiggiſm and Toryiſm nothing was done in moderation: and few of the tranſactions of that day have reached us in a form unwarped by the prejudices of the narrators. Throughout every part of the Britiſh empire, except Ireland, the conſtitutional rights of the ſubject ebbed and flowed with the alternate prevalence of theſe oppoſite parties. The Iriſh nation was doomed to ſuffer under every Stuart: and the ingratitude of this monarch to them may have contributed not ſlightly to prevent them from relapſing into their former attachment, when other parts of the Britiſh empire roſe in rebellion in their ſupport. It ſtrongly marks the folly and unreaſonableneſs of coupling the cauſe of Popery with that of the Pretender, that in the only part of the Britiſh empire, which generally ſubmitted to the ſpiritual power of the Pope, namely Ireland, an arm has not been raiſed in aid of the Stuarts, ſince the acceſſion of the houſe of Hanover to the Britiſh throne.

The queen was alternately led down the ſtream either by the Whigs or the Tories, as their reſpective parties gained the aſcendancy in parliament: the whole political ſyſtem of her reign was a ſtate of conteſt, in which the party in power oppoſed and thwarted their antagoniſts by meaſures of extreme violence. This nearly equal conteſt of the rival parties in England, kept not the ſame equilibrium in Ireland. The great maſs of the people was forced or frightened out of any political interference with ſtate affairs. The queen, who held her crown againſt the claims of her brother by the tenure of Proteſtantiſm, found herſelf forced to bury the attachments of natural affection under her zeal for the Church, and became forward in yielding to the cries of both parties in oppreſſing the great body of her

her Catholic ſubjects of Ireland. No crimes, no new offences, no attempts againſt the government were laid to their charge: and a new code of unparalleled rigor was impoſed upon this ſuffering people. They had formerly been deprived of their inheritances, they were now prevented from ever again acquiring an inch of land in that kingdom: and they were ſubjected to further penalties and diſabilities for profeſſing the Roman Catholic religion.* Nothing can more ſtrongly diſplay the abject and abandoned ſtate of the body of the Iriſh Catholics at this period, than that no man in either houſe of parliament either dared or choſe to ſtand up in their favor to oppoſe that act of refined and ingenious rigor *for preventing the further growth of Popery.* Some individuals of the houſe of commons, who could not altogether reconcile the act to their conſciences, by the moſt diſgraceful caſuiſtry affected to clear themſelves of reſponſibility, by reſigning their ſeats to others of a more pliant diſpoſition.† Reſignations on this ſcore became ſo frequent, that the houſe came to a reſolution, "that the excuſing of members at their own "requeſt, from the ſervice of the houſe, and thereupon iſſuing out new writs "to elect other members to ſerve in their places, was of dangerous conſe-"quence, and tended to the ſubverſion of the conſtitution of parliament." And it was afterwards reſolved unanimouſly, "that it might be the ſtand-"ing order of the houſe, that no new writs for electing members of parlia-"ment in place of members excuſing themſelves from the ſervice of the "houſe, do iſſue at the deſire of ſuch members, notwithſtanding any former "precedents to the contrary." So violent was the tide of prejudice againſt

* Without entering into a nauſeating detail of this new penal code, ſuffice it to remark with Mr. Burke, "That all the penal laws of that unparalleled code of oppreſſion, which were made after "that laſt event (the revolution) were manifeſtly the effects of national hatred and ſcorn towards "a conquered people, whom the victors delighted to trample upon and were not at all afraid to "provoke." (*Let. to Lang. p.* 44.) And page 87, "You abhorred it, as I did, for its vicious "perfection. For I muſt do it juſtice. It was a complete ſyſtem full of coherence and conſiſtency: "well digeſted and well compoſed in all its parts. It was a machine of wiſe and elaborate con-"trivance; and as well fitted for the oppreſſion, impoveriſhment, and degradation of a people, and "the debaſement in them of human nature itſelf, as ever proceeded from the perverted ingenuity "of man."

† Theſe members inſtead of oppoſing what they condemned, like Pilate waſhed their hands before the people, in proof of their innocence. This prevaricating ſyſtem of debaſement has been ſince too frequently followed by the temporizing or venal receſſion of members who wanted the effrontery to ſupport a particular meaſure, which they left to be carried by the votes of their leſs punctilious ſubſtitutes.

the Catholics at this time in Ireland, that the Britiſh cabinet themſelves dared not oppoſe the very rigor and ſeverity which they diſapproved of. The paſſing of this bill affords the moſt notable inſtance of Ireland's ſuffering from the abject ſtratagem of attempting by ſiniſter and ſecret means, what the honor and juſtice of the nation called upon the miniſters to effect in an open and manly manner. The queen was at this time in alliance with the emperor, and upon the ſtrength of it had interceded with him for certain indulgencies on behalf of his Proteſtant ſubjects: it appeared therefore an ill-judged moment to throw ſuch an oppreſſive load of perſecution upon ſo large a body of men of his religious perſuaſion within her ſtates. Her miniſters feared the party who had propoſed the meaſure, amongſt whom were many diſſenters of great power and influence: they dared not openly to oppoſe it, but from the ungrateful duplicity of Stuart policy deviſed the following expedient. They ſuperadded to the bill, already ſurcharged with cruelty, a clauſe, by which all perſons in Ireland were rendered incapable of any employment under the crown, or of being magiſtrates in any city, who ſhould not, agreeably to the Engliſh Teſt Act, receive the ſacrament according to the uſage of the Church of Ireland. To this it was preſumed the diſſenters would not have ſubmitted: and ſo the bill would be loſt. The baſe experiment failed, and this unintended ſeverity fell upon the Proteſtant Diſſenters and the Roman Catholics, not becauſe they merited puniſhment, but becauſe a timid and inſincere miniſtry had reſorted to duplicity and deceit to ſcreen them from it.*

When this act came into the houſe of commons loaded with all the ſeverity of intemperate if not factious zeal, and bending under ſuch additional maſs of rigor, as the Britiſh cabinet had heaped upon it for preventing its paſſing, no oppoſition whatever appears to have been raiſed againſt it in parliament: no diviſion to have taken place on a ſingle point in any ſtage of its progreſs through the houſes. In as much as it was conceived by all perſons comprized in the articles of Limerick to be a direct violation of thoſe articles, Lord Kingſland and Colonel Brown, with ſeveral other Roman Catholic gentlemen, petitioned to be heard by counſel againſt it, which was granted.

* Burnett ſays, "It was hoped by thoſe‡ who got this clauſe added to the bill, that thoſe in "Ireland who promoted it moſt, would now be the leſs fond of it, when it had ſuch a weight hung "to it." *Hiſtory of his own Times*, 2 vol. 214.

‡ This was Lord Godolphin's miniſtry.

After

After the arguments of Sir Theobald Butler, Mr. Malone, and Sir Stephen Rice of counſel for the petitioners both at the bar of the houſe of lords and commons had been heard and totally diſregarded, the petitioners were tauntingly aſſured, that if they were deprived of the benefit of the articles of Limerick, it was their own faults, ſince by conforming to the eſtabliſhed religion, they would be entitled to theſe and many other benefits: that therefore they ought not to blame any but themſelves: that the paſſing of that bill into a law was needful for the ſecurity of the kingdom at that juncture, and in ſhort, that there was nothing in the articles of Limerick, that ſhould hinder them from paſſing it.*

Notwithſtanding the generally prevailing execration of Popery, and the univerſal dread both amongſt the Whigs and Tories of ſtanding forward in defence or ſupport of the Catholic body in public, it was not to be expected that the Proteſtant Diſſenters ſhould ſilently ſubmit to be involved in the ſeverity, which ſubſtantially and formally was intended by the parliament of Ireland and the cabinet of England to fall upon the Catholics excluſively; they accordingly preſented a petition to the commons on the occaſion of the above-mentioned clauſe, which has been uſually termed the *Sacramental Teſt*, complaining, that to their great ſurprize and diſappointment they found a clauſe inſerted in *The Act to prevent the further Growth of Popery*, which had not its riſe in that honorable houſe; whereby they were diſabled from executing any public truſt for the ſervice of her majeſty, the Proteſtant religion or their country, unleſs contrary to their conſciences, they ſhould receive the Lord's Supper according to the rights and uſages of the eſtabliſhed Church.† This parliament was diſpoſed to favor the diſſenters, in as much as they joined with them in the common cauſe againſt the body of Catholics; but

* Debates on the Popery Bill, 2 Ann. It has always been urged by the ſufferers under the penal laws paſſed againſt the Roman Catholics ſince the Revolution, that they were made in violation of the public faith as pledged by the articles of Limerick. For the ſatisfaction therefore of thoſe, who may wiſh to inveſtigate the queſtion, the arguments of counſel before the commons on the 22d of February, and before the lords on the 28th of February 1703, are given in the Appendix, No. LII. Mr. Arthur Brown, in 1788 one of the repreſentatives for the univerſity of Dublin, publiſhed a very warm pamphlet to rebut this charge, which he conceived tended to bring odium on the Proteſtant intereſt. It is written in the extreme heat of party.

† This was the clauſe inſerted by the Engliſh cabinet, in order to prevent the bill's paſſing into a law: they fooliſhly ſuppoſing, that the Iriſh parliament would check their zealous hatred to Popery, on

but their horror of Popery outbalanced their tenderneſs for Preſbytery, and they prevailed by fair words with the Diſſenters to withdraw their oppoſition to the bill, on a ſpecious promiſe, that the clauſe obnoxious to them ſhould be repealed in their favor. Cruelty and injuſtice generally go hand in hand. Not only the clauſe affecting the Diſſenters, whoſe puniſhment could in no ſhape check the growth of Popery, was left unrepealed, but during this queen's reign it was frequently carried into the moſt rigorous execution. In October 1707, the commons came to the reſolution, that by The Act to prevent the further Growth of Popery, the burgeſſes of Belfaſt were obliged to ſubſcribe the declaration and receive the Sacrament according to the uſage of the Church of Ireland: and that the burgeſsſhip of the ſaid burgeſſes of Belfaſt, who had not ſubſcribed the declaration and received the Sacrament purſuant to the ſaid act was by ſuch neglect become vacant.* It is difficult even at this diſtant period to trace to its true ſource, that overbearing principle, under which the Iriſh Catholics were ſo ſeverely puniſhed during this reign. The ingratitude of the houſe of Stuart, to thoſe, who had been the firſt and the laſt to fight for them in their diſtreſſes, ſeemed to have communicated its baneful contagion to all its dependents and favorites. In the front of their domeſtic enemies, the Iriſh had once more to read the treacherous name of Ormond. The grandſon of that Duke, who had ſo notoriouſly aggrandized his patrimony by betraying the cauſe of his king and his countrymen, was ſent over by the queen in quality of lord lieutenant. Scarcely had he arrived, when the commons† relying probably on his hereditary propenſities to oppreſs his ſuffering countrymen, preſented to him the Bill to prevent the further Growth of Popery; his grace was pleaſed to give them his promiſe, that he would recommend it in the moſt effectual manner, and do every thing in his power to prevent the growth of Popery. It exceeds the function of the hiſtorian to attempt to fathom the ſincerity of the actors of thoſe ſcenes, which it is his duty to repreſent. This very Duke of Ormond, who in the year 1704 received the warmeſt thanks of the Iriſh parliament for having procured for them this barrier to the Proteſtant religion, (as it was

on account of the injury they might thereby bring upon the Proteſtant Diſſenters. See their petition in the Commons' Journ. 2 vol. 451.

* Vide Commons' Journ. 2 vol. 564, upon the petition of the Dowager Counteſs of Donegal on behalf of her infant ſon, the queſtion aroſe upon a conteſted election for that Borough, and thereupon the above reſolutions were entered into.

† Vide Burnett's Hiſtory of his own Times, 2 vol. 214.

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then termed) was in the lapſe of ſome few years convicted of high treaſon, and a reward of 10000*l.* was put upon his head, for having deſerted his Proteſtant ſovereign and adhered to a Popiſh pretender to the throne. At the opening of this very parliament, the lords agreed "to an addreſs by way of "thanks to her majeſty, for her great care of her ſubjects of this kingdom in "ſending his Grace the Duke of Ormond lieutenant thereof."*

No period of the Iriſh hiſtory more ſtrongly illuſtrates the advantages of an incorporate union between Great Britain and Ireland than the reign of Queen Anne: it verifies to the letter, the trite obſervation, that if no other benefit were to ariſe out of it, than the deſtruction of the Iriſh parliament and the annihilation of the Iriſh monopoly of power, it will be the greateſt national bleſſing beſtowed on Ireland ſince the invaſion of that country by Henry Plantagenet. The penal laws paſſed againſt the Roman Catholics of Ireland under this queen have ever been the theme of murmur and diſcontent with all the Catholic writers,† and here it appears that they were paſſed againſt the wiſhes and efforts (not very manly) of the Britiſh cabinet, by the procurement of the head of the Iriſh ariſtocracy and the unanimous vote of an Iriſh parliament. The Iriſh hiſtory ſuperabounds with anomalies: at the very moment, in which this parliament gave ſo vital a ſtab to the real intereſts and happineſs of their country, the lords made open profeſſion of principles and ſentiments, which would then have averted that ſource of wretchedneſs from their countrymen, and enſured them that political ſecurity and happineſs, to which the nation may now look forward in the union that has taken place. "We are ſenſible, ſay they, that our preſervation is owing to our being united "to the crown of England, ſo we are convinced that it would tend to our

* At this time, it has been remarked by Dr. Sommerville (2 vol. page 280) that, "the extreme "oppreſſion and miſery endured by the Iriſh cannot be repreſented in ſtronger colors, than by the "bare detail of facts, which appear in the journals of parliament. Multiplied inſtances occurred "almoſt every ſeſſion of the abuſe and perverſion of power by magiſtrates and juſtices of peace: "the frauds of contractors and the monſtrous cruelties inflicted by officers in the recruiting ſervice, "which exhibit a complexion of manners little removed from barbariſm. See particularly the pro-"ceedings of the commons on the complaint and petition of Agmondeſham Cuffe againſt Major "Francis Flood, a member of the houſe of commons, 7th of June 1705, and on the petition of "Euſtace Sherlock againſt Maurice and John Anneſley, 9th of June."

† Thus Curry ſpeaks of The Act to prevent the further Growth of Popery, 2 vol. page 234. "A penal ſtatute, through which there runs ſuch a vein of ingenious cruelty, that it ſeems to be "dictated rather by ſome Prætor of Dioceſian than by a Britiſh or Iriſh nobleman."

"further

" further ſecurity and happineſs to have a more comprehenſive and entire " union with that kingdom." So little however were they diſpoſed to act in uniſon with her majeſty's Engliſh miniſters, who were againſt theſe penal ſtatutes, that on the 4th of March 1703, the lords in an addreſs to the lord lieutenant aſſured his grace that it was with great ſatisfaction they beheld him following the example of his illuſtrious anceſtor, and that they attended his grace to acknowledge and congratulate with him on the good effects of his indefatigable application as well in framing, as in obtaining the return of ſo many good bills, *but eſpecially for The Bill to prevent the further Growth of Popery.** It appears upon the Lords' Journals,† within the ſame year, that in an addreſs to the throne, they aſſured her majeſty of their unſhaken fidelity to her perſon, crown and government: and as they were inſeparably annexed to the Imperial crown of England, ſo were they reſolved to oppoſe all attempts, that *might be made by Scotland* or any other nation whatſoever to divide them from it, or defeat the ſucceſſion in the Proteſtant line, as limitted by ſeveral acts of parliament. The connection of matter, rather than the order of time, points out under what ſpecies of influence Ireland has from time to time been oppreſſed, in order that ſhe may the more diſtinctly ſee the end of oppreſſion in her union with Great Britain. Whatever were the ſymptoms of diſſaffection or diſloyalty in Scotland in the year 1704, to which the addreſs of the lords referred, no hiſtory has even charged the Iriſh with having been directly or indirectly concerned in the rebellions either of 1715 or of 1745. Yet upon the breaking out of the rebellion in Scotland in 1715 the commons of Ireland, in their addreſs to the crown on that occaſion, expreſſed, that it was with the utmoſt concern they found that this country (Ireland) had given birth to James Duke of Ormond, a perſon, who in deſpite of his allegiance and the obligations of repeated oaths, had been one of the chief authors and fomenters of that wicked and unnatural rebellion. No terms can be too ſtrong to expreſs the hypocritical and traiterous conduct of this debaſed nobleman; and though it be difficult to account for the wanton and malicious cruelty, with which he rivetted the galling yoke of perſecu-

* Lords' Journ. p. 85. Burnett confirms this ſtatement of the lords, "The commons (ſays he) " offered this bill to the Duke of Ormond, preſſing him with more than uſual vehemence to inter- " cede ſo effectually, that it might be returned back under the great ſeal of England. It came over " warmly recommended by the Duke of Ormond." Hiſt. 2 vol. page 214.

† Ibid. page 91.

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tion on the necks of his unoffending countrymen, yet in ſpite of his malevolence and depravity he rendered juſtice to their faith and loyalty by not even attempting to turn the influence of the landlord over a numerous tenantry, or of the governor over the dependants of the caſtle, to the deſperate purpoſe of ſhaking the well known and tried loyalty of his countrymen: an honorable, though forced teſtimony of the ſteady allegiance of the Iriſh nation, which through a whole century has not been tarniſhed by any rebellious attempt againſt their lawful ſovereign, until the late fatal inſurrection of 1798, which immediately preceded, and perhaps in great meaſure contributed to the union.

During the whole reign of Queen Anne the penal laws were executed with unabating ſeverity upon the Iriſh Catholics, without any other viſible cauſe or charge alleged than their mere profeſſion of the Roman Catholic religion. It was the current, though unwiſe policy of that day, to conſider the Roman Catholics as enemies to the crown and government of the realm. The ſpeech of the Earl of Pembroke, lord lieutenant, to the Iriſh parliament, in 1706, recommends to them to provide for the ſecurity of the realm againſt their foreign and *domeſtic* enemies, meaning by the latter—the body of Catholics: for he ſubjoined, that he was commanded by her majeſty to inform them, that her majeſty, conſidering the number of Papiſts in Ireland, would be glad of an expedient for the ſtrengthening the intereſt of her Proteſtant ſubjects in that kingdom. There is a principle of liberality and wiſdom in concentrating the intereſts of a great people in a common *focus* (and ſuch has produced the late union) which is the loudeſt condemnation of that falſe, baſe, and wicked policy, that pervaded the Iriſh government under Queen Ann. It was then a fundamental maxim, that Roman Catholics could never coaleſce with Proteſtants of any denomination even in the civil duties of allegiance to a common ſovereign: they were conſidered as avowed and common enemies of the ſtate. Hatred of Popery was the common link, by which they connected intereſts of the utmoſt diſcordance and repugnancy to make head againſt the *common enemy*. The reſiſtance of ſo much provocation to rebellion as ſuch a principle when acted upon muſt have produced, is a marked teſt of the ſteady loyalty and peaceful demeanour of the Iriſh Catholics from the revolution to the acceſſion of his preſent majeſty, under whom they firſt had the happineſs of being conſidered no longer as enemies.

The Houſe of Peers did not, however, ſee the ſame objections to an union which at that time influenced the commons. They had on a former occaſion,

viz. on the 25th of October, 1703, after the report of a committee upon the ſtate of the nation, come to the following reſolution:* "That it was the "opinion of that committee, upon due conſideration of the preſent con- "ſtitution of that kingdom, that ſuch an humble repreſentation be made to "the queen of the ſtate and condition thereof, as might beſt incline her "majeſty by ſuch proper means as to her majeſty ſhould ſeem fit, to promote "ſuch an union with England as might qualify the ſtates of that kingdom "to be repreſented in the parliament there." In their addreſs to the queen on the union with Scotland on the 15th of July, 1707,† they congratulated the glorious ſucceſs of her majeſty's endeavours for ſecuring by her arms abroad the liberties of Europe, and the welfare of her ſubjects at home, by uniting Great Britain into one body, under the ſame Proteſtant ſucceſſion to the throne of all her dominions: they were ſenſible how effectual a means that would prove to prevent the attempts of Papiſts from diſturbing the quiet of her majeſty's empire, and particularly of that kingdom, that had been ſo often endangered by them. They beſeeched her majeſty to go on and extend her favor to all her ſubjects, till none were excluded from ſo great a bleſſing, but ſuch as by their own frowardneſs or diſaffection to the public good barred themſelves from the general advantages of her majeſty's reign: and they expreſſed their hope, that her majeſty's goodneſs and wiſdom would conquer even thoſe, and make them ſenſible of their true intereſt.

‡From the coldneſs with which the queen anſwered theſe addreſſes, it is plain, infers Lord Clare, that her miniſters would not liſten to the propoſition of an union with Ireland; and in finding a ſubſtitute for it, there was a race of impolicy between the countries. The parliament of England ſeemed to have conſidered the permanent debility of Ireland as their beſt ſecurity for her connection with the Britiſh crown, and the Iriſh parliament to have reſted the ſecurity of the colony upon maintaining a perpetual and impaſſable barrier againſt the ancient inhabitants of the country. The executive government was committed nominally to a viceroy, but eſſentially to lords juſtices, ſelected from the principal ſtate officers of the country, who were intruſted with the conduct of what was called the king's buſineſs, but might with more propriety have been called the buſineſs of the lords juſtices. The viceroy came to Ireland for a few months only in two years, and returned

* 2 Journ. of Lords, p. 29. † Ibid. p. 161. ‡ Speech of Lord Clare, p. 26.

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to England perfectly ſatisfied with his miſſion, if he did not leave the concerns of the Engliſh government worſe than he found them: and the lords juſtices in his abſence were entruſted implicitly with the means of conſolidating *an Ariſtocratic influence*, which made them the neceſſary inſtruments of the Engliſh government.

In the year 1707, the commons voted an addreſs of congratulation to her majeſty on the union of her majeſty's kingdoms of England and Scotland. They told her, that this great and glorious work, which her anceſtors with their utmoſt endeavours laboured to compaſs, lay above the reach and wiſdom of former times, and ſeemed reſerved, by Heaven, for her majeſty's reign: that the difficulty of the attempt required the greateſt genius to ſurmount it, and they could but highly honour and admire the wiſdom of thoſe councils, that had by it given a further ſecurity to the peace and ſafety of her majeſty's government, the Proteſtant ſucceſſion, and the church as by law eſtabliſhed in England and Ireland. The reaſon why theſe commoners did not in this addreſs even hint at a ſimilar union with Ireland, muſt have ariſen from the impoſſibility of uniting with a kingdom, the bulk of which they actually conſidered and acted againſt as a *common enemy*: for on the ſame day (9 July, 1707) on which they voted the addreſs to the queen, they preſented alſo an addreſs to the Earl of Pembroke, their lieutenant, in which they thankfully acknowledged the benefits they enjoyed in that happy opportunity of meeting, under his excellency's government, to enact ſuch laws as were yet wanting to ſtrengthen the Proteſtant intereſt of that kingdom. And they aſſured his excellency, that they were met with firm reſolutions to improve that opportunity to the utmoſt of their power, to diſappoint the deſigns of thoſe who endeavoured to give advantage to *their common enemy*, by creating miſunderſtandings amongſt Proteſtants.*

When the Earl of Wharton prorogued the parliament on the 30th of March, 1709, he told them, †that he made no queſtion, but that they underſtood too well the true intereſt of the Proteſtant religion in that kingdom, not to endeavour to make all ſuch Proteſtants as eaſy as they could, who were willing to contribute what they could to defend the whole *againſt the common enemy*. It was not the law then paſſed,‡ nor any law that the wit of

* 2 Com. Journ. p. 494.

† 2 Journ. Lords, p. 316.

‡ An Act for explaining and amending an Act intituled An Act to prevent the further Growth of Popery.

man could frame, would ſecure them againſt Popery, whilſt they continued divided amongſt themſelves. It being demonſtrable, that unleſs there be a firm friendſhip and confidence amongſt the Proteſtants of that kingdom, it was impoſſible for them either to be happy or to be ſafe. And he was directed to declare to them, as her majeſty's fixed reſolution, that as her majeſty would always maintain and ſupport the church as by law eſtabliſhed, ſo it was her royal will and intention, that the Diſſenters ſhould not be perſecuted nor moleſted in the exerciſe of their religion. The Diſſenters were originally diſpleaſed and had petitioned againſt the clauſe for the ſacramental teſt; and now the act, in which it was introduced, having been explained and amended without any attention to their intereſt, the lord lieutenant* ſubſtituted fair promiſes and ſpecious words for that ſubſtantial relief, which either the power or the will was wanting to procure for them. The marked contraſt in the lord lieutenant's ſpeech between the favorable diſpoſition of government towards the Proteſtant Diſſenters and their auſterity towards the Roman Catholics, flattered the Diſſenters;† and the lord lieutenant had the addreſs to

* Thomas, Earl of Wharton was a man of notorious profligacy, but of great addreſs, and no inconſiderable ſhare of talent. The likeneſs of his portrait, left us by Swift, has never been queſtioned, though conſidered by ſome as too ſtrongly tinctured with party prejudice. It was however taken from life, and with the advantage of perſonal intimacy. "He had imbibed his father's "principles in government (he was a rigid Preſbyterian), but dropt his religion, and took up no "other in its ſtead: excepting that circumſtance, he is a firm Preſbyterian. He contracted ſuch "large debts, that his brethren were forced, out of mere juſtice, to leave Ireland at his mercy, "where he had only time to ſet himſelf right. He is very uſeful in parliament, being a ready "ſpeaker, and content to employ his gift upon ſuch occaſions, where thoſe who conceive they "have any remainder of reputation or modeſty are aſhamed to appear." *Hiſtory of the Four laſt Years of Queen Ann.*

† What Dr. Sommerville ſaid of the Engliſh Diſſenters not oppoſing the Engliſh Teſt Act in 1673, will be found pointedly applicable to the conduct of their Iriſh brethren upon the introduction of the Sacramental Teſt in 1709. "This conceſſion of the Proteſtant Diſſenters has been "often applauded by their friends, as a ſingular example of prudence and generoſity; becauſe "they ſacrificed their rights and reſentments to the dread of impending Popery, and the ſecurity "of the reformed religion. Their conduct upon this occaſion, whether examined by the rules of "probity, or the dictates of enlightened charity, will be found deſerving of explicit and marked "expreſſions of condemnation. Profeſſing to guard againſt Popery, did not the Diſſenters act "under the influence of its worſt principles? Did they not abandon their rights, as men and "as Chriſtians? Rights, the renunciation of which, for a ſingle day, no fear of danger, nor "proſpect of future peace, can juſtify at the tribunal of conſcience. The event of Providence has "inſtructed

to keep them quiet, in the deluſive expectation of being eaſed of this galling reſtriction in a future ſeſſion, when it might be done with leſs umbrage to the numerous body of Roman Catholics. The cordial ſympathy of this Houſe of Commons, with their profligate governor,* is one melancholy illuſtration, amongſt many, of the eſtrangement of the Iriſh parliament from the welfare of the Iriſh people. On the 26th of Auguſt, 1709, the commons preſented a moſt obſequious addreſs to the lord lieutenant, in which they aſſured him, "that they gratefully acknowledged her majeſty's more par-"ticular care of them in appointing his excellency their chief governor, "whoſe equal and impartial adminiſtration gave them juſt reaſon to hope, "and earneſtly wiſh his long continuance in the government.†"

The reign of Queen Ann was a chequered ſcene of political variance, according to the predominancy of the favorite party. It eſtabliſhed alſo a moſt important, though a much unheeded principle of obſervation, which the impartial inveſtigator of the Iriſh annals cannot loſe ſight of. The numerical body of the people having been effectually excluded from taking an active part in the affairs of the nation, every important or embarraſſing queſtion, that has ariſen between Great Britain and Ireland, affecting the political ſituation of the two nations from the Revolution to the acceſſion of his preſent majeſty, has been as completely cleared and diſbaraſſed of any interference, intereſt, or influence of the body of Iriſh Roman Catholics, as if they had no actual exiſtence. All national differences, complaints, and grievances

"inſtructed us, by this, and every ſimilar experiment, to reprobate the imprudence, as well as "the immorality of the maxim, that it is lawful to do evil when good may be obtained by it. A "bill brought in for the relief of the Proteſtant Diſſenters, as the reward of their conſent to the "Teſt Act, was defeated by the diſagreement of the two houſes, and the adjournment of par-"liament. And thus the temporizing ſpirit of the Diſſenters tranſmitted bondage to their poſ-"terity, which the liberality of the age in which we live never could have impoſed; but from "which even that liberality is not adequate to emancipate them, while it is counteracted by "religious bigotry, and the timid policy of thoſe who diſpenſe the favours of government." *Somerville, p.* 24.

* Dean Swift, even before the death of this nobleman, ſaid of him: "He has ſunk his fortune "by endeavouring to ruin one kingdom, and hath raiſed it by going far in the ruin of another. "His adminiſtration of Ireland was looked upon as a ſufficient ground to impeach him at leaſt "for high crimes and miſdemeſnors; yet he has gained by the government of that kingdom under "two years 45000*l.* by the moſt favorable computation, half in the regular way, and half in the "prudential."

† 2 Comm. Journ. p. 681.

have

have been from Proteſtants to Proteſtants. The peculiar grievances of that body never reached the ear or touched the heart of their ſovereign, till the foſtering dawn of protection opened upon them from the parental ſympathies of his preſent majeſty. It is a political paradox, though an hiſtorical truth, that in the agitation of every national queſtion during the laſt century, the ſenſe, the intereſt, or the influence of the majority of the nation, have not thrown the weight of a ſcruple into the ſcales.

The prevalence of the Tory party in the laſt four years of Queen Ann, lets in the broadeſt day-light upon the real grounds of alarm and inſecurity, which the Engliſh cabinet entertained for the fate of Ireland. They viewed the increaſing influence of the Preſbyterians with ſuch dread and jealouſy, that on the 7th of November, 1711, the lords ſpiritual and temporal preſented an addreſs to her majeſty, in which they firſt complained of the Earl of Wharton's having abuſed her majeſty's name, in ordering *nolle p. oſequis* to ſtop proceedings againſt one Fleming, and others, for diſturbing the peace of the town of Drogheda, by ſetting up a meeting-houſe, where there had been none for the laſt twenty-eight years. They repreſented to her majeſty, that thoſe unjuſt complainers of perſecution, whilſt themſelves enjoyed eaſe and ſecurity, had exerciſed great ſeverities towards their conforming neighbours, by denying them common offices of humanity, and by threatening and actually ruining ſeveral, who, in compliance with their conſcience, had left their ſect. They complained that the Epiſcopal order had been by them ſtiled *anti-ſcriptural*, the holy and religious worſhip of the eſtabliſhed church called *ſuperſtitious* and *idolatrous*, and that the legiſlature itſelf had been cenſured by a bold author of theirs, who had publiſhed, in print, "*that* "*the Sacramental Teſt is only an engine to advance a ſtate faction and to* "*debaſe religion to ſerve mean and unworthy purpoſes.*" They repreſented, that amidſt repeated provocations, they had been ſtill eaſy, and had endeavoured by gentle uſage to melt them down into a more ſoft and complying temper; but that all their attempts had proved unſucceſsful: that they had returned evil for good; that forbearance had encreaſed their rage and obſtinacy; and that the Northern Preſbyterys had, in their zeal for proſelytiſm, ſent miſſionaries into ſeveral parts of the kingdom, where they had no call nor any congregations to ſupport them: that by the abuſe of the allowance of 1200*l.* per annum, (granted to them by her majeſty for charitable purpoſes and other means) ſchiſm, which had formerly been confined to the North,

had

had then ſpread itſelf into many parts of that kingdom. So that they ſhould not be juſt in their duty to their ſovereign or country, if they did not acquaint her majeſty with the danger they apprehended from thoſe great advances which *Preſbytery and Fanaticiſm* had made, which if not checked, they doubted not, would in time end in the deſtruction of the conſtitution both in church and ſtate. They ſubmitted therefore to her majeſty's wiſdom whether it were not proper to put a ſtop to thoſe growing evils, by withdrawing from them her majeſty's bounty of 1200*l.* per annum. This addreſs fully accounts for the introduction and the non-repeal of the Sacramental Teſt, notwithſtanding the ſtrong partiality and biaſs of the commons, the Lord Lieutenant Wharton, and other leading Whig characters for the Proteſtant Diſſenters of that day. It is not to be imagined, that theſe ſentiments, which were now under the new miniſtry publicly avowed, had not long influenced the ſpirit and diſpoſition of the Britiſh government. Inſincerity and timidity are generally inſeparable. The Queen herſelf, as well as many who had been in favor and power at Court, profeſſed Whig principles more from policy and intereſt, than from conviction and inclination. Their public profeſſion of Whiggiſm bound them to the intereſt of the commoners and the Proteſtant Diſſenters in Ireland, on account of their determined oppoſition to Popery, which motive alone was ſufficient to ſanctify the moſt cruel, or juſtify the neglect of the moſt important and neceſſary meaſures. When the real ſpirit of Toryiſm had acquired the tranſcendancy, by overturning the Whig adminiſtration, the reſerve was thrown off, and the prevailing party expreſſed their real ſentiments in ſtrong and unequivocal language. Although the Tories commanded a decided majority in the peers, yet the Whigs ſtill retained a ſmall majority in the commons. Hence thoſe parliamentary differences, ſo virulently referred to in the lords addreſs to the queen, on the 9th of November, 1711*. They alleged, that ſincere veneration for her majeſty's royal perſon and prerogative, and the tender regard they had for the peace and tranquillity of the kingdom, could alone prevail on them thus long to forget the high indignities offered to their houſe by the commons, and to ſubmit their private injuries to her majeſty's more public concerns, leſt by their juſt reſentment of their behaviour, when ſo induſtriouſly provoked, her majeſty's affairs might be obſtructed, and by thoſe means the

* 2 Lords Journ. p. 415.

malicious

malicious deſigns of evil-minded men rendered effectual. They complained, that the commons had uſed them in a manner wholly unknown to former parliaments, and had addreſſed them in language more indecent, more opprobrious, than was given by another Houſe of Commons, at a time when they voted the Houſe of Lords uſeleſs. That however her majeſty might juſtly approve the conduct of the College of Dublin in the late Revolution, ſtill did they humbly conceive, that her majeſty did not extend her bounty to them, to promote (in general) *revolution principles.* Principles, which as explained by the pamphlets and libels publicly avowed and celebrated by men of *factious and ſeditious tempers,* and particularly in a ſermon preached on the 30th of January, dedicated to that very Houſe of Commons, without cenſure or animadverſion, did in a great meaſure maintain and juſtify the execrable murder of King Charles the Firſt, and on which might be founded any rebellion againſt her majeſty and her ſucceſſors. They inſiſted upon their right of conſtruing the words and terms uſed by the commons in their addreſs, viz. That the commons having in their vote mentioned the ſteady adherence of the provoſt and fellows of the College to the late Revolution, as one conſideration of their application for the 5000*l.* ſince granted by her majeſty, the ſubſequent motive mentioned in that vote, viz. for the encouragement of ſound revolution principles, could not in good reaſon or grammar be referred to the late Revolution; ſince adherence to the late Revolution was a diſtinct motive of itſelf. And it is the known nature of principles, to be as well the rule and guide of future as of paſt actions. They diſclaimed every intention of miſrepreſenting the commons to her majeſty for their own actions: they were to be judged by God and her majeſty. But for themſelves, they did moſt ſolemnly aſſure her majeſty, they were heartily thankful to Almighty God for the late happy Revolution, acknowledging the neceſſity and juſtice of it: and that they would, at the utmoſt hazard and expence of their lives and fortunes, defend, ſupport, and maintain her majeſty's ſacred perſon and government, her juſt prerogative in the choice of her miniſters, the church of Ireland as by law eſtabliſhed, and the ſucceſſion of the crown in the illuſtrious Houſe of Hanover, againſt the Pretender, and all thoſe *who deſign revolutions* either in church or ſtate, againſt all her majeſty's enemies abroad, and againſt all Papiſts, Jacobites, and *Republicans* at home.* This addreſs of the lords is an indiſputable document

* 2 Lords Journ. p. 414, 415.

of

of the truth of ſeveral important facts, which no hiſtorian has fairly retailed; but which appear ſupereminently neceſſary to be noticed in the developement of the remote as well as the proximate cauſes, which in their time and order have contributed to bring about the grand ſettlement of the kingdom of Ireland by its incorporate Union with Great Britain.

That Proteſtant aſcendancy, which the policy of James I. had forced into exiſtence, in order to make head againſt the Catholics, who then indiſputably compoſed the country or natural party in that kingdom, and which had under his ſucceſſor been ſtrengthened and encouraged, particularly by Strafford and Ormond, with the ſame view of bearing down the Catholics as a common enemy, was generally infected with the Puritanical fanaticiſm of that day: the real concomitant of which was an antibaſilican ſpirit, that ſoon after demonſtrated itſelf in the ſubverſion of the conſtitution. Both thoſe monarchs would, from their natural diſpoſition, have effectually cruſhed that party at home, though they conſented to uſe them as the inſtruments of oppoſing the Catholics in a diſtant kingdom, who were then, from their property as well as numbers, the great bulk and natural intereſt of the Iriſh nation. This factitious power finding their ſtrength in their aſcendancy over the Catholics, ſoon ſeized the opportunity of availing themſelves of their ſucceſs, and were amongſt the moſt forward and violent in oppoſing the regal power of Charles, whilſt they continued for ſome years to diſguiſe their diſloyalty to the throne, under the impoſing veil of zeal for the altar. A forward and active hatred of Popery gave claims in Ireland, which not only commanded favor, but abſolved from puniſhment. In the days of Charles the Firſt, this ſpirit anticipated the breaking out of Cromwell's rebellion; in the days of Charles the Second, it ſurvived the reſtoration of monarchy; under Charles the Second, under William and Mary, under Ann, were remunerations voted by parliament to the deſcendants of Cromwellian rebels, for the forward zeal and ſervices of their anceſtors in that cauſe. In the year 1800, the Earl of Clare declared in the Houſe of Peers, that it would have been an act of groſs injuſtice on the part of Charles the Second to have overlooked the intereſts of Cromwell's ſoldiers and adventurers, as the complete reduction of the Iriſh rebels by Cromwell redounded eſſentially to the advantage of the Britiſh empire. The true conſtitutional Whig principles, upon which the Revolution in 1688 had been effected, gave to this party in Ireland a freſh opportunity of working up the old republican

leaven, that had never quitted them under the plauſible appellation of Whigs. This actuated the commons to propoſe the ſeveral penal laws againſt the Catholics under Ann; this intimidated her Whig miniſters into compliance even againſt the wiſdom, policy, and wiſhes of the court. So popular a cry was the reduction of Popery, that no miniſtry had hitherto ventured openly to oppoſe it, however cruel or ill-ſeaſoned were the meaſures propoſed for effectuating it. From this declaration of the lords it is to be collected, that the Whig majority in the commons were chiefly the relics of the old Proteſtant aſcendancy, which had imbibed and retained thoſe principles of revolutionary republicaniſm, of which the lords addreſs, echoing the voice of the Britiſh miniſtry, ſo loudly complained. It was no new or ſudden grievance, but an old ſtanding evil, which had been long ſorely felt and timidly tolerated. And now that the primitive fervor and confidence of the new miniſtry had produced this open and unequivocal attack upon the Whig party, they dared not do it, without tempering their declaration with profeſſions of their own zeal againſt Popery, although no complaint or charge had been laid againſt the Catholics by their keeneſt enemy. Certain it is, that from the encouragement given to the Oliverian party in Ireland, and other obvious cauſes, the republican ſpirit of that day had taken ſuch deep root in their deſcendants, that created the alarm and dread now firſt avowed in this addreſs of the lords to the queen. All extremes are vicious: the perfection of the Britiſh conſtitution conſiſts in the reciprocal checks upon the different powers from running into oppoſite extremes. The true Whig principles are the legitimate offspring of the Britiſh conſtitution; they prevent as effectually the pruriency of Democracy, as they defeat the deſpotiſm of abſolute monarchy.*

The

* From the peculiar ſituation of Ireland, the attention of the Iriſh Proteſtants hitherto had been generally confined to the excluſive object of acquiring and preſerving an aſcendancy over the Catholic intereſt. The Earl of Clarendon, who was himſelf a keen partizan, was the firſt who introduced any party diſtinction amongſt the Proteſtants of Ireland. During his ſhort government of Ireland in 1685, he evinced his zeal for his maſter's ſervice by endeavouring to ſplit the Proteſtants into *Whigs* and *Tories*, in order to ſupply his own want of co-operation with the king's wiſhes to forward the cauſe of Popery, from which he was by principle moſt averſe. Both Clarendon, and his brother the Earl of Rocheſter, who was appointed lord lieutenant in the year 1701, and ſeveral of the high church clergy, whom they had promoted in Ireland, were inflexible in their convictions, that the generality of thoſe who called themſelves Whigs in Ireland, were ſtrongly

The party in the Houſe of Commons, which ſtill maintained its majority againſt the Tory adminiſtration, was ſupported by all the influence of the Diſſenters:* and it cannot be denied, that they puſhed the Whig principles to an exceſs wholly irreconcileable with the conſtitutional doctrines of civil liberty. The ſpirit of party became every day more violent: yet all the political differences, which then diſtracted the kingdom, exiſted between Proteſtant and Proteſtant. Whatever exceſſes either party gave into, were nevertheleſs either palliated or ſanctioned by ſome freſh obloquy or ſeverity thrown upon the Catholics. The Duke of Shrewſbury, though a Tory in principle, was induced through policy to eſpouſe the cauſe of the Whigs, and as converts are generally prominently ſevere to the party they have abandoned, his Grace was no way ſuſpected of favoring the Catholics, whoſe religion he had renounced. He was unuſually ſplendid in celebrating the anniverſary of King William, and vehement in promoting the Proteſtant ſucceſſion. By a diſſolution of parliament, the miniſtry hoped to gain a majority in the commons, as they had ſecured it in the lords: but on the return, the Whigs ſtill retained a ſmall majority. This they availed themſelves of, by voting a moſt ſevere addreſs† to the queen upon Sir Conſtantine Phipps,‡ the chancellor,

ſtrongly impregnated with the factious ſpirit of 1649; and upon this principle they were anxious to ſubdivide the Proteſtants into parties, in order to diſcriminate their own party from the real enemies to the crown, who ſtill retained ſo much of the leaven of the interregnum: for hitherto *Proteſtant* and *Whig* had continued to be conſidered as ſynonymous in Ireland. And no Whig in that country had till that time ſignalized himſelf by the avowal of any conſtitutional principle whatever.

* Far be it from me to inſinuate that this deviation from the ſtrict line of conſtitutional conduct was in any manner cauſed by religious doctrine or perſuaſion. In every Chriſtian country, different denominations of Chriſtians have at times ſwerved from, as well as obſerved, their civil duties. Preſbyterians have evinced as firm loyalty to monarchs, as Catholics have to republics. Every ſociety of Chriſtians lay claim to the pureſt and cloſeſt adherence to Evangelical perfection; and they all hold the ſyſtem of Chriſtianity practicable under every lawful form of government. Bigotry, ignorance, or malice can alone conſider the practice of any religious ſociety incompatible with the Britiſh conſtitution.

† 2 Journ. Comm. p. 770.

‡ The private demeanour and official conduct of Sir Conſtantine Phipps confirmed all the unfavorable prepoſſeſſions againſt him, which the Whigs in Ireland had conceived from his zeal and activity in defence of Dr. Sacheverel. He aſſociated only with Tories and churchmen, and was entertained by the nobility and gentlemen of that deſcription with the moſt magnificent hoſpitality:

cellor, who had diſtinguiſhed himſelf in the Tory party by his intimacy with the famous Dr. Sacheverell, whoſe trial had afforded a notable triumph to the Whigs in England. The queen's anſwer to another addreſs of the commons, dated from Windſor on the 13th of December, 1713, ſhewed how little congenial with the diſpoſitions of the court theſe efforts of the commons were. She told them, that *the beſt way of preſerving their religious and civil rights, and ſecuring the Proteſtant ſucceſſion, as well as the beſt proof they could give of their real concern for them, was to proceed with unanimity and temper in ſupplying the neceſſary occaſions of the government, and in eſtabliſhing peace at home, by diſcountenancing *the reſtleſs endeavours of thoſe factious ſpirits* who attempted to ſow jealouſies, and raiſe groundleſs fears in the minds of her people.

Theſe facts, which appear upon the face of the parliamentary records of Ireland, inconteſtibly prove, that none of the complaints or charges of diſaffection, ſedition, turbulence, diſloyalty, or civil and political licentiouſneſs of any ſpecies during this queen's reign fell upon the great body of the Iriſh people, but aroſe from the conduct of that Proteſtant part of the nation, which retained the leaven of the interregnum, and which was too powerful and too determined to be awed or openly oppoſed by the Britiſh cabinet. Hence the diſgraceful ſubterfuge, which Biſhop Burnet aſſures us, the miniſtry

pitality: he received the congratulations and thanks of the clergy as the patron of their order, and the champion of the rights of the church. Under the auſpices of ſuch a judge, every legal check upon the licentiouſneſs of the party which he patroniſed was ſuſpended. The moſt malignant attacks upon the Diſſenters daily iſſued from the preſs, and even thoſe publications, which had been condemned in England for their ſeditious tendency, were reprinted and diſperſed without any reprehenſion from the Iriſh miniſters. Mr. Higgins, a clergyman, who had been put out of the commiſſion of the peace by the late Chancellor Coxe, on account of his indecent and turbulent behaviour, was now reſtored to his ſeat by Sir Conſtantine Phipps. On the very day of reſuming his authority, he gave ſuch offence to his colleagues by his inſolent and unguarded expreſſions, that he was preſented by the grand jury of the county of Dublin, as a ſower of ſedition and groundleſs jealouſies among her majeſty's Proteſtant ſubjects; but he was acquitted by the lord lieutenant and privy council, to the great joy of the high church party. (*Annals Ann, p.* 192–3.)

Mr. Higgins had been a co-adjutor of Dr. Sacheverell in England; and rivalled him in the vehemence with which he declaimed upon the danger of the church, and the treachery of the miniſters. (*Cunningham, vol.* ii. *p.* 275.) He was the author of ſeveral ſevere tracts againſt the Diſſenters, and was ſuppoſed to have drawn up a narrative concerning the conſpiracy of the Proteſtants in Weſtmeath, which contained reflections injurious to all the Whig gentlemen in Ireland.

* 2 Journ. Comm. p. 771.

was

was driven to, in order to cauſe the miſcarriage of the Popery bill, by ſharpening its ſeverity againſt the promoters of it, fearing to offend that party by oppoſing the cruelties, which they were impoſing on the Catholics, although conſcious that the meaſure was neither wiſe, politic, nor juſt.

In ſo much diffidence and contempt did the Britiſh parliament hold that of Ireland during this queen's reign, that in every matter, which was conſidered to be of importance to the Britiſh empire, they expreſsly legiſlated for Ireland, as if Ireland had no parliament of her own. Thus did the Britiſh legiſlature direct the ſale of the eſtates of Iriſh rebels, and diſqualify Catholics from purchaſing them; thus did it avoid leaſes made to Papiſts; thus augment ſmall vicarages, and confirm grants made to the archbiſhop of Dublin: it permitted Ireland to export linen to the plantations; prohibited the importation of that commodity from Scotland; and appointed the town of New Roſs, in the county of Wexford, as the port for exporting wool from Ireland to England. In the Schiſm Act, which Sir William Wyndham brought into the Houſe of Commons in England, in the year 1714, the interference of the Britiſh legiſlature with Ireland was the moſt remarkable. This bill, which was aimed by the Tory party at the total ſuppreſſion of the Diſſenters, was warmly oppoſed by the Whigs in both houſes. Into that bill the following clauſe was introduced: that "where "law is the ſame, the remedy and means for enforcing the execution of the "law ſhould be the ſame; be it therefore enacted, by the authority afore-"ſaid, that all and every the remedies, proviſions, and clauſes, in and by "this act given, made, and enacted, ſhall extend, and be deemed, conſtrued, "and adjudged to extend to Ireland, in as full and effectual manner as if "Ireland had been expreſsly named and mentioned in all and every the "clauſes of this act." Conſidering the intolerant quality of the Act, it was the policy of the Tory adminiſtration to introduce it with as few objectionable clauſes as poſſible, expecting naturally a warm oppoſition to it. It was chiefly oppoſed on the third reading, in which oppoſition Sir Joſeph Jekill was prominently forward; he inſiſted, that it tended to raiſe as great a perſecution againſt their Proteſtant brethren, as the primitive Chriſtians ever ſuffered from the Heathen emperors, particularly Julian the apoſtate.* It paſſed the commons by a majority of 237 voices againſt 126, without the

* Chand. Deb. 5 vol. p. 135.

clauſe

clauſe affecting Ireland: this was propoſed by the Earl of Angleſea, when the bill was in the committee of the lords, which, after ſome debate, was carried in the affirmative by the majority of one voice only. *Several ſevere ſpeeches were made in the Houſe of Lords againſt the clauſe extending the bill to Ireland; particularly by the Duke of Shrewſbury, who had returned on the very day of the debate from Ireland. The clauſe was, however, carried by 57 votes againſt 51; and on the next day the bill was carried by a majority of 5 votes, viz. of 77 againſt 72.† A very ſtrong proteſt was entered by thirty-four of the leading Whig party, the laſt part of which relates to Ireland: "The miſeries (ſaid they) we apprehend here, "are greatly enhanced by extending this bill to Ireland, where the conſequences of it may be fatal: for ſince the number of Papiſts in that "kingdom far exceeds the Proteſtants of all denominations together, and "that the Diſſenters are to be treated as enemies, or at leaſt as perſons "dangerous to that church and ſtate, who have always in all times joined "and ſtill would join with the members of that church againſt their common "enemy of their religion; and ſince the army there is very much reduced, "the Proteſtants thus unneceſſarily divided ſeem to us to be expoſed to "the danger of another maſſacre, and the Proteſtant religion in danger of "being extirpated."‡ It muſt be preſumed, that the miniſters of that day

* Deb. Lords, 2 vol. p. 428.

† The miniſter commanded a much larger majority in the commons than in the lords. It was for this reaſon that the queen was adviſed to call twelve lords up to the Houſe of Peers, who were in deriſion called by the oppoſite party the college of the twelve apoſtles. "It was upon theſe "motives (ſaid Swift, *Hiſt. p.* 44,) that the treaſurer adviſed her majeſty to create twelve new "lords, and thereby diſable the ſting of faction for the reſt of her life time: this promotion was "ſo ordered, that a third part were of thoſe on whom, or their poſterity, the peerage would naturally devolve; and the reſt were ſuch whoſe merit, birth, and fortune could admit of no exception." In the reaſons *pro* and *con* given by Swift, we clearly ſee the oppoſite ſpirits of the politicians of that day: the Whigs complained of the ill example ſet to wicked princes, who might as well create one hundred as twelve peers, which would enſure the command of the Houſe of Lords, and thus endanger our liberties. The Tories inſiſted, that in our conſtitution the prince holding the balance of power between the nobility and people, ought to be able to remove from one ſcale into the other, ſo as to bring both to an equilibrium: and that the Whigs had been for above twenty years corrupting the nobility with republican principles, which nothing but the royal prerogative could hinder from overſpreading us.

‡ Deb. Lords, 3 vol. p. 430. The whole proteſt containing ſtrong reaſons againſt intolerancy is given in the Appendix, No. LIII.

were

were as anxious, that this bill againſt the Diſſenters ſhould be extended to Ireland, as they were certain, that a ſimilar bill would not have paſſed the Iriſh parliament. Such were the forced means reſorted to by the miniſtry of that day, to effectuate their intentions upon Ireland reſpecting the Diſſenters. What the opinion and diſpoſition of the court then were as to the Iriſh Diſſenters, is manifeſt from the language of Mr. Bromley, principal ſecretary of ſtate, on the third reading of the Schiſm Bill: he ſaid, "the "Diſſenters were equally dangerous both to church and ſtate; and if the "members who ſpoke in their behalf would have this bill drop, he would "readily conſent to it, provided another bill were brought in to incapacitate "them either to ſit in that houſe, or to vote in elections of members of "parliament."* The colliſion of the oppoſite parties in parliament was at that time extremely violent. The Whigs charged the Tories and the whole court party with an intent to break through the order of the Proteſtant ſucceſſion, in favor of the Pretender; to theſe views they attributed every meaſure as to the grand object of all their wiſhes, and all their intrigues. On the other hand the Tories complained of the factious oppoſition of the Whigs; and the moſt ſenſible of their advocates† has declared, that "the "deſigns of that aſpiring party at that time were not otherwiſe to be com-"paſſed, than by undertaking any thing that would humble and mortify "the church." Some time previous to the paſſing of the Schiſm Bill, the miniſter had acquired in the commons a very large acceſſion of ſtrength from a ſet of members, who, under the ſtile of the *October Club*, had formed themſelves into a body with a view to revive a new country party in parliament, which might, as in former times, oppoſe the court in any proceedings they ſhould diſlike. The whole body conſiſted of about 200, and they unexceptionably profeſſed what are commonly called *high church* principles, upon which account they were irreconcileable enemies to the late miniſtry, and all its adherents; and the grand object of their meetings, was to deviſe

* Chand. Deb. 5 vol. p. 135.

† Swift's Hiſtory of the Four laſt Years of the Queen, p. 250. This was ſaid on the occaſion of the lords having paſſed the bill for continuing The Act to enable Quakers to make Affirmation in lieu of Oaths (ſurely a reaſonable one, and the law now is ſo), which the commons would not permit to be read even a firſt time. About this time, Swift ſhewed a zeal againſt the Whigs, by publiſhing *The Public Spirit of the Whigs*, and his Preface to the Introduction of Dr. Burnet to the Hiſtory of the Reformation.

methods

methods to ſpur on thoſe in power to make quicker diſpatch in removing all the *Whig leaven* from the employments they ſtill poſſeſſed.

In Ireland, the number of thoſe, who took an active intereſt in the political events of the day, was incomparably ſmaller, than in England, but their violence was proportionably greater. All the efforts of the Britiſh cabinet were unable to reduce the aſcendancy of the old Proteſtant intereſt in the commons: it became a trial of ſtrength between the two houſes. The influence of the crown preponderated in the lords of Ireland, as it did in the commons of England. The commons preſented an addreſs to her majeſty, humbly beſeeching her to remove the chancellor, Sir Conſtantine Phipps,* from his place, for the peace and ſafety of her Proteſtant ſubjects: the lords on the other hand, made a warm repreſentation to the queen in favour of the chancellor: they entered minutely into the charges preferred againſt him, and aſſured her majeſty, that they were ſtrengthened in their opinion of his having acquitted himſelf with honour and integrity, from the further enquiries they had ſince made, and they concluded with

* More of the true ſpirit of the times is often to be collected from pamphlets and fugitive pieces of the day, than from the beſt hiſtories written at a period diſtant from the events which they record. A book called *State Anatomy*, was publiſhed in Dublin ſoon after the acceſſion, which thus ſpeaks of Sir Conſtantine Phipps (p. 51): "No ſooner did he appear in that kingdom, but his levee was "crouded with Papiſts and diſpenſation converts, whoſe cloven foot was ſeen by the venom they "uſed to ſpit againſt Whigs and Diſſenters: but every one who made his court to Phipps, would "previouſly ſhew his zeal by treating the Whigs as ignominiouſly, as formerly under Talbot: nor "would Sir Conſtantine employ a man of them, no not in ordinary work: accordingly he brought "thoſe new converts into all buſineſs, places, and preferments, receiving the moſt ſecret infor-"mations from prieſts and friars, who were likely to do wondrous ſervice to the Engliſh intereſt. "By the aſſiſtance of that truſty bull beef prieſt *Higgins*, he laboured to divide the Proteſtants: "introducing the diſtinction of *high and low church* unknown there before: and it muſt be "owned, that they made ſome progreſs in this villainous deſign, which with the Earl of Rocheſter's "introducing the *Sacramental Teſt* conſiderably weakened our preſent king's intereſt. He ſtifled "and diſcouraged all informations againſt the inſolent practice of Papiſts, whom he was ever "backward to diſarm, though ſtraitly required to do it after the queen's death. He granted *Noli "proſequis* for writers on behalf of the pretender, and favoured all he could, thoſe, who treaſonably "liſted ſoldiers for him. The Archbiſhop of Armagh (Lindſay who was primate from 1713 to "1724) promoted for this very purpoſe to that ſee, was his chief abettor. This prelate not very "nice in other matters, and much better acquainted with the mothers than the fathers, would not "be concerned in blood forſooth, refuſing to ſign the order for the execution of the liſted and "enliſters for the pretender. This behaviour of Churchmen gave riſe to another toaſt: *To the "proſperity of the Church in ſpite of the Clergy.*"

ſtrong

ſtrong aſſurances of unanimity and temper in the diſpatch of public buſineſs, and in eſtabliſhing the peace of that kingdom, by diſcountenancing the reſtleſs endeavours of thoſe *factious ſpirits*, who attempted to ſow jealouſies and raiſe groundleſs fears in the minds of her majeſty's people. The queen's anſwer to the addreſs of the commons was a mere echo of the addreſs of the lords, which plainly ſhewed how ſtrongly her majeſty ſided with the latter againſt the former. Both houſes of convocation warmly eſpouſed the cauſe of the chancellor: they wiſhed her majeſty might never want a ſervant of equal courage, uprightneſs, and abilities, and that church and nation never be without ſuch a friend for the ſuppreſſion of vice, ſchiſm, and faction, and for the ſupport of the royal prerogative as well as the rights and liberties of the ſubject. The lords had alſo preſented an addreſs to the queen, to juſtify and clear the chancellor of the reproaches and calumnies of one Nuttal, who had traduced him as having been a promoter of the diſſentions, that had lately happened in that kingdom: to which her majeſty anſwered, that ſhe had always looked upon the lord chancellor as a faithful ſervant to the crown, a true lover of the conſtitution in church and ſtate, and was therefore extremely pleaſed to find, that the lords concurred in the ſame opinion of him.

Many circumſtances concur to prove, that the queen herſelf was indiſpoſed to the Hanover ſucceſſion, and that the great object of her laſt miniſtry was to reconcile the nation to a favourable reception of her brother. The Whigs were indefatigable in thwarting thoſe efforts, which the miniſters never dared to avow or openly to make. The queen was perſonally indeciſive, and wanted firmneſs to carry any important reſolution into effect. Whatever harſh meaſures were forced upon her by the Whigs, ſuch as the attainder of her brother, the proclamation for a reward of 50,000l. for apprehending him, and the ſeveral proclamations and declarations in ſupport of the Hanover ſucceſſion, are reported to have preyed ſtrongly upon her mind;* as did alſo the

* The ſecret intentions and views of the laſt miniſtry of Queen Ann have never been hitherto clearly laid open. The whole tranſaction however of the Duke of Cambridge's obtaining his writ of ſummons to parliament, loudly ſpeaks the diſinclination of the queen to that favourite meaſure of the zealots for the Hanover ſucceſſion. It was not in fact flattering to the feelings of the queen, that a prince of the houſe of Hanover ſhould be provided with a houſe, revenue, and proper officers in England, and enjoy a ſeat in the Britiſh ſenate; where his influence with thoſe, who

the failure of Leſlie's miſſion, who was ſent over to Lorrain to convert him to the Proteſtant faith: as it was well underſtood, that the horror of Popery was

were ever ready to adore the riſing ſun, might powerfully reſiſt the intereſt of the crown. This, it was urged by the queen's friends, was ſetting her coffin before her eyes. The duke had ſent over the following petition to the queen.

The Humble Petition of George Auguſtus Duke of Cambridge,

SHEWETH,

That your majeſty having of your great goodneſs created your petitioner a duke and peer of Great Britain, and it being the conſtitution, that every peer hath a right and privilege to ſit and vote in parliament, your petitioner humbly prays your majeſty to grant him his writ of ſummons to call him to ſit and vote in the preſent parliament.

This petition was ſigned on the 17th of March, 1713—4, and on the 11th of the following April, Baron Schutz, envoy extraordinary from the court of Hanover, convened a meeting of the moſt zealous Whigs, lords, and gentlemen at Lord Halifax's houſe in Weſtminſter; where it was artfully concerted, that the baron ſhould not preſent the petition to the queen, apprehending that her majeſty might have denied the writ, or delayed or eluded the petitioner: and therefore they adviſed the baron to apply to the Lord Chancellor Harcourt, and demand of him the writ of ſummons, as being the proper officer to cauſe the ſame to be made out, and delivered: for which proceeding, this reaſon was then given; that if the lord chancellor refuſed to deliver the writ, the Houſe of Lords, then ſitting, had a juriſdiction and power, to enquire into, and immediately cenſure the denial, and to order the writ to be made out and delivered. But the ſudden tranſport and joy of thoſe lords ſo convened cauſed them to forget, that Baron Schutz might have done both, viz. if the queen were averſe, he might immediately reſort to the lord chancellor, and make the demand.

However, the lords adviſed the baron to keep his orders ſtrictly ſecret, and appear at court the next day, when the lords were to wait on, and preſent to the queen their addreſs about the proclamation, and the removing the Pretender out of Lorrain; and to apply himſelf to the lord chancellor, (as in private and in a corner) and acquaint him, that he (the baron) had a meſſage to his lordſhip from Hanover, and that he deſired an hour, when he ſhould wait on, and deliver it to him.

The lord chancellor told the baron, he ſhould be proud to receive any meſſage from his court; and appointed that very afternoon, between five and ſix, to receive it at his houſe in Lincolns Inn Fields.

When the baron came, and (after ſome compliments) told his lordſhip, that he, by order of his highneſs the Duke of Cambridge, did requeſt his lordſhip, to make out, and deliver to him the writ for the duke; the lord chancellor was at firſt much ſurpriſed: but after a ſhort pauſe, he aſked the baron, whether the matter had been opened to the queen; To which the baron anſwering, no: his lordſhip ſaid, this demand is of ſuch importance that I can do nothing in it, till I have the queen's directions; and I will forthwith acquaint her majeſty with it: but laying his hand on the baron's ſhoulder, deſired him to remember he did not refuſe the writ: to which the baron ſmartly replied, and deſired his lordſhip to remember, he had requeſted of him the writ for the Duke of Cambridge.

A cabinet

was the only objection which a great part of the nation had to his being called to ſucceed his ſiſter. Circumſtanced however as the Pretender was, his

A cabinet council was inſtantly called, and ſate that evening from nine of the clock till after eleven; where the queen being preſent, had the diſappointment to find her miniſters ſo little firm to their former profeſſions, as to endeavour to perſuade her majeſty, that the writ could not be denied (they may have hinted that the promiſes of France did not yet juſtify the refuſal). This defection had ſuch an accidental and unexpected influence upon her majeſty's perſon, as ſubjected her to an infirmity, that could not be removed, for at the end of three months and nineteen days ſhe demiſed, but upon the miniſter's ſhrinking, the writ was ordered to be made out, and was delivered to Baron Schutz on Saturday the 17th of April, 1714.

This demand being the next day (Tueſday) whiſpered in the court of requeſts, caſt a damp on the court party, which they could not diſſemble.

The miniſters had the vexation to ſee, on the four laſt days, viz. Wedneſday, Thurſday, Friday, and Saturday, the ſtreet called Pall Mall, crouded with a vaſt concourſe of coaches, and multitudes of people to congratulate Baron Schutz, and Monſ. Koninberg (at whoſe houſe the baron lodged) upon the demand of the writ, and the hopes of the ſpeedy arrival of the Duke of Cambridge: that although the writ was at the end of five days, viz. on Saturday the 17th of June, 1714, delivered to Baron Schutz, yet the queen in her anger to ſee the people ſo generally run to worſhip the riſing ſun, cauſed Baron Schutz, on the next day, being Sunday the 18th of April, 1714, to be forbidden the court, and injunctions to be laid on all her miniſters, not to have any intercourſe or correſpondence with him: and the miniſters gave out this pretence for that outrage, viz. becauſe the baron had demanded the writ of the lord chancellor, without having firſt acquainted her majeſty with his orders, and applying to her for it.

It appears probable, that the miniſters applied at this time to France for aſſiſtance, and received an agreeable anſwer: but at that time the French king was engaged to attend the negotiations at Raſtadt, in regard the peace with the Emperor was not yet concluded. But the urgency of the caſe was, that if the Duke of Cambridge, ſhould forthwith land, as he might, and as the people expected, the miniſters meaſures would be firſt intirely diſconcerted, and then the French aſſiſtance would come unſeaſonably. The miniſters, in order to remove their fears, and to obviate the diſappointment, on the 19th of May, 1714, being within one month after Baron Schutz was forbidden the court, in the queen's name, ſent three letters to Hanover, all ſigned with her majeſty's own hand.

One of theſe letters was directed to Her Royal Highneſs the Princeſs Sophia, in which the queen declared, "that diſaffected perſons had entered into meaſures, to fix a prince of her highneſs's blood "in her majeſty's dominions, even whilſt ſhe was living, that ſhe (the queen) for her part, never "thought ſuch a project could have entered into her highneſs's mind; but now ſhe perceived, her "electoral highneſs was come into that ſentiment: and therefore ſhe (the queen) declared, that "ſuch a proceeding would infallibly endanger the ſucceſſion itſelf."

Another of theſe letters was directed to His Highneſs the Elector of Brunſwick; and in that it was declared, "that if his electoral highneſs's ſon (the Duke of Cambridge) preſumed to come "within the queen's eſtate (i. e. her dominions), ſhe would oppoſe him with all her power."

his cauſe was abetted by many in England, and recruiting for his ſervice had become ſo public and general, that Lord Bolingbroke brought in a bill, which afterwards paſſed into a law, that made it high treaſon to be enliſted for any foreign prince: a caution which was not at this time found neceſſary to be had in Ireland, notwithſtanding the inordinate propenſity of the Iriſh parliament to haraſs and oppreſs the Catholics with penal ſtatutes. Now for the firſt time their loyalty was above ſuſpicion: and a Stuart paſſed by an opportunity of puniſhing them. The queen died on the 1ſt of Auguſt, 1714.

And the third letter was directed to the Electoral Prince (then Duke of Cambridge), and therein it was declared to him, "that his deſign of coming into her majeſty's kingdom, ought to be firſt "opened to her, and to have had her permiſſion; and that therefore nothing could be more dan-"gerous to the right of ſucceſſion in his line, than ſuch a proceeding." From the complexion of theſe tranſactions it will be readily admitted, that the queen muſt have been diſguſted with the indelicate and compulſory means uſed by the Whigs of that day, to enſure the Hanover ſucceſſion during her life: the workings of nature on behalf of her brother, upon whoſe head ſhe was forced by the Whigs to proclaim a reward, together with the many thwarting and humiliating inſtances of oppoſition to her will from the Whig party, render it more than probable, that ſhe either originally was, or that ſhe became at laſt inſincere in her profeſſions, promiſes, and exertions to promote the eſtabliſhment.

CHAPTER III.

THE REIGN OF GEORGE THE FIRST.

IT is foreign from the purpoſe of this work to analyze the political views of the leading men in power upon the demiſe of Queen Ann. The Jacobites looked up with more confidence to Lord Bolingbroke, than to the Earl of Oxford, for ſincerity in favor of the abdicated family. If Oxford, as muſt be preſumed, of moſt of the Tories of that day, were againſt the Hanover intereſt, his conduct was reſerved, myſterious, and equivocal; by which he loſt the confidence of his own party, without gaining that of the other. Bolingbroke was univerſally ſuppoſed to favor the heir of blood, and was known to be a moſt determined and implacable enemy of the Whigs. The Jacobites relied much upon his affections, but more upon his reſentment. The Tory party preponderated in the landed intereſt of the country; the Whigs had acquired a majority in the privy council; the Tories were without a head; diſpirited, diſtracted, and conſequently irreſolute: the Whigs, fluſhed with their aſcendancy, acted with concert, energy and effect: they brought into action the principles they had always avowed, and by them they ſeated the Elector of Hanover on the thrones of Great Britain and Ireland: he was proclaimed and acknowledged king without oppoſition.* The Tories, as they had every reaſon to expect, were diſmiſſed from his councils, and the whole management of public affairs was committed to the Whigs.

The parliament of Ireland, convened in November, 1715, was prominently conſpicuous in manifeſting their zeal for the Hanover ſucceſſion, and the Whig adminiſtration. They paſſed acts for recognizing the king's title; for the ſecurity of his perſon and government; for ſetting a price (50,000*l.*) upon the Pretender's head; and for attainting the Duke of Ormond: and they voted the ſupplies without murmur or oppoſition. It is to be re-

* Viz. By the Act of Settlement, as George the Firſt, ſon of Erneſt Auguſtus, Elector of Brunſwick, and of Sophia, grand daughter of King James the Firſt.

marked,

marked, that towards the concluſion of the late reign, the commons had, during the laſt Tory adminiſtration, brought in a bill to attaint the Pretender: and it was generally believed that her majeſty had prorogued the parliament, with the direct view of preventing that bill from paſſing againſt her brother: and that with a ſimilar intent to facilitate his acceſs to the throne, ſhe had diſbanded the greateſt part of the army in Ireland. The commons therefore eagerly ſeized the opportunity ſo favorable for ingratiating themſelves with his majeſty, and for juſtifying that conduct, which had been reprobated as turbulent and factious by the late government. They accordingly preſented a very ſtrong addreſs to his majeſty, that he would be graciouſly pleaſed, for the ſecurity of his government, and the Proteſtant intereſt of Ireland, to remove the Earl of Angleſey from his councils and ſervice in that kingdom.* Notwithſtanding the recruiting for the

* Vide 8 vol. Journ. Comm. p. 67. This addreſs is founded on the fact of the recruiting ſervice for the Pretender having been openly permitted in Dublin, and the prorogation of the late parliament having been made to prevent the act for attainting the Pretender, and the army's having been diſbanded to favor his pretenſions. It throws light upon the hiſtory or thoſe days, and is to be ſeen in the Appendix, No. LIV. We are now in an age and circumſtances to judge fairly of that wretched policy, which induced our anceſtors to tranſport an army of tried bravery, and unſhaken loyalty to the Houſe of Stuart, into foreign countries, there to be formed into nurſeries for every youth of martial diſpoſition, whom the ſevere and humiliating laws of his own country ſhut out of the profeſſion of arms, as well as every other honorable calling which a gentleman could embrace. As this addreſs of the commons, as well as the general ſtream of the Whig writers of thoſe days, ſeem to identify Tories and Jacobites, which terms even to this day are by many conſidered ſynonymous, it will be an act of juſtice to ſubmit to the reader the political profeſſion of faith as to the Pretender of a leading Tory, who was one of the moſt obnoxious to the Whigs, becauſe he was the moſt reaſonable and ſenſible of their opponents. It is a letter from Dean Swift, written from Trim on the 16th of December, 1716, to the Archbiſhop of Dublin (King).

" My Lord,

" I ſhould be ſorry to ſee my Lord Bolingbroke following the trade of an " informer; becauſe he is a perſon for whom I always had, and ſtill continue a very great love " and eſteem: for I think as the reſt of mankind do, that informers are a deteſtable race of peo- " ple, although they may be ſometimes neceſſary. Beſides I do not ſee whom his lordſhip can " inform againſt, except himſelf. He was three or four days at the court of France, while he was " ſecretary; and, it is barely poſſible, he might then have entered into ſome deep negotiation with " the Pretender, although I would not believe him if he ſhould ſwear it; becauſe he proteſted " to me, that he never ſaw him but once, and that was at a great diſtance in publick at an opera. " As to any other of the miniſtry at that time I am confident he cannot accuſe them; and that

" they

the ſervice of the Pretender were one of the principal grounds for the commons addreſs againſt the Earl of Angleſey, as if countenanced and connived at by his majeſty's ſervants, yet ſo fully convinced was the miniſtry of that day of the unqueſtionable loyalty of the Iriſh nation, that the lords juſtices, in their ſpeech to the parliament, rendered them the moſt honorable teſtimony, in ſaying, that it was with no ſmall ſatisfaction, that they obſerved the calm, which that kingdom (formerly the ſeat of ſo many rebellions) then enjoyed, whilſt the traitorous enemies to the king and our happy eſtabliſhment, diſcouraged by their early and ſteady zeal for the Proteſtant ſucceſſion, had thought fit to change the place of action, and attempt elſewhere to diſturb his majeſty's government. Nor was this the ſoothing art of adulation, but the cordial effuſion of active confidence: for the lords

" they will appear as innocent, with relation to the Pretender, as any who are now at the helm:
" and as to myſelf, if I were of any importance, I ſhould be very eaſy under ſuch an accuſation,
" much eaſier than I am to think your Grace imagineth me in any danger; or, that Lord Boling-
" broke ſhould have any ill ſtory to tell of me. He knoweth, and loveth, and thinketh too well of
" me, to be capable of ſuch an action. But I am ſurprized to think your Grace could talk, or act,
" or correſpond with me for years paſt, while you muſt needs believe me a moſt falſe and vile man;
" declaring to you on all occaſions my abhorrence of the Pretender, and yet privately engaged with
" a miniſtry to bring him in: and therefore warning me to look to myſelf, and prepare my de-
" fence againſt a falſe brother, coming over to diſcover ſuch ſecrets as would hang me. Had
" there been ever the leaſt overtures or intent of bringing in the Pretender, during my acquain-
" tance with the miniſtry, I think I muſt have been very ſtupid not to have picked out ſome diſ-
" coveries or ſuſpicions. And although I am not ſure I ſhould have turned informer, yet I am
" certain I ſhould have dropt ſome general cautions, and immediately have retired. When people
" ſay things were not ripe at the queen's death; they ſay they know not what: things were rotten.
" And had the miniſters any ſuch thoughts, they ſhould have begun three years before; and they
" who ſay otherwiſe, underſtand nothing of the ſtate of the kingdom at that time.

" But whether I am miſtaken or no in other men, I beg your Grace to believe, that I am not
" miſtaken in myſelf. I always profeſſed to be againſt the Pretender, and am ſo ſtill. And this
" is not to make my court (which I know is vain), for I own myſelf full of doubts, fears, and diſ-
" ſatisfactions, which I think on as ſeldom as I can: yet if I were of any value, the publick may
" ſafely rely on my loyalty, becauſe I look upon the coming of the Pretender as a greater evil, than
" any we are like to ſuffer under the worſt Whig miniſtry that can be found.

" I have not ſpoke or thought ſo much of party theſe two years, nor could any thing have
" tempted me to it, but the grief I have in ſtanding ſo ill in your Grace's opinion.

" I beg your Grace's bleſſing, and am, &c.

" JONATHAN SWIFT."

juſtices

juſtices added, that his majeſty had ordered an addition to be made to each company of the militia, till ſuch time as he could replace thoſe regiments, which the neceſſity of his affairs had obliged him then to draw from Ireland to ſuppreſs the rebels in Great Britain, wherein their ſafety was equally concerned with that of his other ſubjects.* Were not anomaly and incongruity the peculiar properties of Iriſh hiſtory, it would be my duty to draw the reader's attention to the groſs inconſiſtency of rendering ſolemn homage to the exemplary loyalty of the Iriſh nation in the moſt perilous criſis, and puniſhing them at the ſame time for a diſpoſition to treachery, turbulence, and treaſon. Whilſt rebellion was openly making alarming progreſs in North Britain, under the Earl of Mar at the head of 10,000 Scotch Preſbyterians, and no part of South Britain was ſecure from the attempts of the friends of a Catholic Pretender to the throne, *Catholic* Ireland was the only part of the Britiſh empire, for which government felt ſecure, and therefore drew from it the uſual ſources of national defence to give ſtrength to *Proteſtant* Britain. Although malice have been ſaturated in calumniating the Iriſh nation, it has (perhaps accidentally) eſcaped even the charge of guilt in the rebellion of 1715. The ſpeech which bore ſuch honorable teſtimony of the tried loyalty of the Iriſh Catholics, beſpoke the diſgraceful policy of keeping and treating them, notwithſtanding, as a ſeparate and divided people. "We muſt recommend to you (ſaid the lords juſtices in "their ſpeech to the commons) in the preſent conjuncture, ſuch unanimity "in your reſolutions as may once more put an end to all other diſtinctions "in Ireland, but that of *Proteſtant* and *Papiſt*." Such indeed was the hatred, in which they were then holden, that the uſual parliamentary phraſe for the Iriſh body of Catholics was, the *common enemy:* ſcarcely an addreſs concerning them during this reign reached the throne, which did not diſtinguiſh them with this appellation. Without any freſh charge or even ſuſpicion of miſconduct, they were ſo explicitly repreſented in the ſpeech of the Lord Carteret. † "All the Proteſtants of this kingdom have but one "common intereſt, and have too often fatally experienced, that they have "the ſame *common enemy*." Vain is it to ſet up the perſonal character and

* 2 Journ. Lords, p. 458. The lords juſtices were the Duke of Grafton and the Earl of Galway, and the ſpeech was delivered by the Duke of Grafton.

† 3 Journ. Commons, p. 399,

private

private virtues of the monarch, as a ſecurity or indulgence to his ſubjects againſt the penal code of auſterities impoſed upon them by the legiſlature: theſe perſecuting and oppreſſive laws execute themſelves. Queen Ann has been repreſented, perhaps not untruly, *as *a tender mother, a warm friend, an indulgent miſtreſs, a munificent patron, a mild and merciful prince*; and yet the body of Catholics was during her reign more ſeverely puniſhed and perſecuted than during that of any of her predeceſſors.† Such, however, notwithſtanding the Catholics plea of merit for their non-interference in favor of a Catholic prince of the Houſe of Stuart in the year 1715, whilſt his ſtandard was erected in Great Britain, was the government's affected fear or real hatred of the Catholics, that the lords juſtices, in their anſwer to the addreſs of the commons praying them to give directions for ſecuring the perſons of ſuch Papiſts and other perſons as they ſhould ſuſpect of being diſaffected to his majeſty's government, aſſured them, that they had written letters in council to all the governors of counties, ſheriffs, mayors, and chief magiſtrates of corporations to put the miliția in immediate condition for ſervice, requiring them at the ſame time ſtrictly to execute *the laws againſt Papiſts*. The reſolutions of the commons at a time when Catholic loyalty was eminently meritorious, beſpoke the marked oppreſſion under which that body was doomed to pine. Firſt, it was reſolved, *nemine contradicente*,

* Smol. Hiſt. p. 268.

† This is affirmed by Swift, who ſays, in his *Preſbyterian's Plea of Merit*, "I do not conceive "why a ſunk diſcarded party, who neither expect or deſire any thing more than a quiet life, "ſhould, under the names of *High Flyers, Jacobites*, and many other vile appellations, be charged "ſo often in print and at common tables with endeavouring to introduce *Popery* and the *Pre-* "*tender*; while the *Papiſts* abhor them above all other men, on account of ſeverities againſt their "prieſts in her late majeſty's reign; when the *now diſbanded reprobate party* was in power. This "I was convinced of ſome years ago by a long journey into the Southern parts, where I had the "curioſity to ſend for many prieſts of the pariſhes I paſſed through; and to my great ſatisfaction "found them every where abounding in profeſſion of loyalty to the late King George; for which "they gave me the reaſons above mentioned: at the ſame time complaining bitterly of the hard-"ſhips they ſuffered under the queen's late miniſtry." I cannot take leave of Swift, without reminding the reader, that if ever a true Iriſh patriot exiſted, he was the man. He is often calumniated by the Whig writers; but no man ever delivered more conſtitutional ſentiments than thoſe, which he publiſhed with reſpect to government. In juſtice to the author, and in order that their excellent tendency may operate more extenſively upon his countrymen, I have ſubjoined them to the Appendix, No. LV.

‡ 3 Journ. Commons, p. 63.

" *That it is the indiſpenſible duty of all magiſtrates to put the laws in " immediate execution againſt all Popiſh prieſts, who ſhall officiate con- " trary to law, and that ſuch magiſtrates who neglect the ſame, be looked " upon *as enemies to the conſtitution.*" Next it was, in like manner, re- ſolved, †" That an humble addreſs be preſented to their excellencies the " lords juſtices, that they will be pleaſed to iſſue a proclamation, promiſing " a reward to ſuch who ſhall diſcover any perſon who is enliſted, or ſhall " hereafter enliſt in his majeſty's ſervice, to be a Papiſt, in order to their " being turned out, and puniſhed with the utmoſt ſeverity of the law." Vain is it to urge, that a common ſenſe of danger and impartial juſtice dictated theſe reſolutions. It can hardly be credited, but not at all accounted for, upon what grounds that monſtrous partiality of the *Iriſh* government and parliament was manifeſted at this period, in favor of the Proteſtant Diſſenters, and to the prejudice of the Catholics. If at this diſtance of time, when the prejudices of bigotry and fanaticiſm have worn themſelves out of repute and credit,‡ we may without injury attribute effects to their real cauſes,

* 3 Journ. Commons, p. 60.

† Ibid. p. 74.

‡ Every thing in the latter end of the reign of Queen Ann, as well as in the beginning of that of her immediate ſucceſſor, was carried on in the extreme of party violence. Towards the cloſe of the year 1714, an anonymous publication appeared, written in a very temperate ſtile, but ſtating facts relating to the late parliament, and particularly to the attack upon Chancellor Phipps: and one of the firſt reſolutions of the commons in 1715, was, that a book, intituled, *A long Hiſtory of a ſhort Seſſion of Parliament in a certain Kingdom,* was a falſe, ſcandalous, and malicious libel, highly reflecting upon the proceedings and honour of the late Houſe of Commons; and they addreſſed the lords juſtices for iſſuing a proclamation for giving a reward to any perſon who ſhould diſcover the author. (3 *Journ. Com. p.* 68.) The book was a plain narrative of public facts, interſperſed with ſome obſervations: one of which, upon a part of the Duke of Shrewſbury's ſpeech, is too relevant to the ſpirit of the Iriſh government, and particularly of the Iriſh Whig intereſt of that day, to eſcape notice. (Vide the book, p. 14.) " The firſt thing we meet with here, worthy " of obſervation, is a remarkable clauſe in his Grace's ſpeech to both houſes, where, after he has " told 'em of his firſt reſolution to diſcharge the great truſt committed to him with zeal for her " majeſty's ſervice and their intereſt, he adds, *that he muſt therefore earneſtly recommend it to 'em, " that as the Proteſtants of Ireland are united in one common intereſt, they might all agree in the " ſame means of promoting it.* I mention this clauſe, becauſe though without queſtion it was well " intended by his Grace; who meant no more, than that they ſhould ſecure themſelves againſt " the *Papiſts,* who are the *common* enemy; yet the *faction* laid great ſtreſs upon it; the *Proteſtant " intereſt* being an expreſſion in great eſteem amongſt them, to ſignify ſometimes an intereſt *diſtinct* from,

cauſes, it will greatly confirm a former obſervation, that the party then called the *Whig party*, in Ireland, poſſeſſed little of the conſtitutional principles of the Engliſh Whigs; but being the immediate deſcendants of the antibaſilican party of 1648, were ſtill ſtrongly tinctured with the leaven of their anceſtors. The then recent ſtatute of Queen Ann, which impoſed ſuch a maſs of rigor upon the Catholics, required the ſacramental teſt from every officer civil or military, from all perſons having fee or ſalary belonging to any office by patent or grant, or having any command or place of truſt under the crown: and ſingular truly was the moment ſelected for publiſhing that Democratic diſpenſation of that law, which we find in the following reſolution of the Houſe of Commons, viz. * " That ſuch of his " majeſty's Proteſtant diſſenting ſubjects of this kingdom as have taken " commiſſions in the militia, or acted in the commiſſion of the array, have " hereby done a ſeaſonable ſervice to his majeſty's royal perſon and go- " vernment, and the Proteſtant intereſt in this kingdom. *Reſolved*, that " any perſon who ſhall commence a proſecution againſt a Diſſenter, who has " accepted, or who ſhall accept of a commiſſion in the array or militia, is " an enemy to King George and the Proteſtant intereſt, and a friend to " the Pretender." This marked partiality in favor of the Iriſh Diſſenters, whilſt an army of Scottiſh Preſbyterians was in open rebellion in favor of the Pretender, cannot be laid to the account of liberality or general tolera-

" from, and even *contrary* to, that of the *eſtabliſhed church*; but *always* uſed to leſſen the regard " men ought to have for that excellent *Communion*, by putting all denominations of Proteſtants " without diſtinction upon a level; they know very well that *Atheiſts*, *Deiſts*, *Socinians*, and *Sec-* " *tariſts* of all ſorts, go under the name of *Proteſtants*: and thoſe with the truly *orthodox* of the " eſtabliſhed church make up the *Proteſtant intereſt* of that kingdom: but then ſurely 'tis not " *one* intereſt, but rather a *comprehenſion* of intereſts diametrically oppoſite; of intereſts as different " from one another, as a rational and Chriſtian communion from an unreaſonable and ſinful *ſchiſm*; " as faith and infidelity; religion and irreligion; loyalty and *faction*: and therefore when a cer- " tain *ſet* of men proclaim their zeal for the *Proteſtant intereſt*, no wonder they find it eaſy to " diſtinguiſh and oppoſe them to one another." One naturally here reflects, with Mr. Burke (*Let. to Lang. p.* 29), " that it was not ſettled at the Revolution, that the ſtate ſhould be Proteſtant " in the latitude of the term, but in a defined and limited ſenſe only; and that in that ſenſe only the " king is ſworn to maintain it. And that the religion which the king is bound to maintain has " a poſitive part in it, as well as a negative; and that the poſitive part of it is the moſt valuable " and eſſential." And he adds, " that a man is certainly the moſt perfect Proteſtant and the moſt " perfect Diſſenter, who proteſts againſt and diſſents from the whole Chriſtian religion."

* 8 Journ. Commons, p. 100.

tion, for that very parliament of 1715, paſſed an act to reſtrain Papiſts from being high or petty conſtables, although a ſingle arm had not been raiſed by a Catholic in Ireland in ſupport of the Pretender, and every nerve of government was ſtrained to enforce the rigorous execution of all the penal laws againſt them. The conſequence was a general and moſt rigid perſecution againſt the Catholics for the mere exerciſe of their religion: their prieſts were dragged from their concealment, many were taken from the altars whilſt performing divine ſervice, expoſed in their veſtments to the deriſion of the ſoldiery, then committed to goal, and afterwards baniſhed the kingdom. The lords juſtices granted orders for apprehending the Earls of Antrim and Weſtmeath, the Lords Netterville, Cahir, and Dillon, and moſt of the principal Catholic landholders as perſons ſuſpected of diſaffection to his majeſty's government.

Although it had now for ſome time been the ſettled, though fatal policy of the Anglo-Hybernian government to play off the Diſſenters and Catholics* againſt each other, yet we have before ſeen, that theſe Machiavelian manœuvres were generally confined to ſuch objects of internal regulation, as in no manner affected the national rights of Ireland or its independence upon Great Britain. It has indeed been at all times a juſt, though melancholy remark with reference to Ireland, that the true conſtitutional Whig principles have never been brought fairly to bear upon that kingdom; as if Ireland had been admitted to our conſtitution for no other purpoſe, than that of confirming its exiſtence by way of exception from its practice and participation: a deadly wound, but ever inſeparable† from that ſtate of nominal independence which Ireland was permitted to enjoy previous to its Union with Great Britain. In the year 1719, a private cauſe gave riſe to a moſt important trait in the Iriſh hiſtory illuſtrative of the principles and facts, which have prominently contributed to the union of the two kingdoms.

A cauſe relative to an eſtate betwixt Heſter Sherlock and Maurice Anneſly was tried before the court of Exchequer, in Ireland. The latter obtained

* Thus, as we before remarked, did the Earl of Wharton with fair and falſe promiſes cajole the Diſſenters, out of hatred to the Papiſts, to conſent to their own puniſhment by the Sacramental Teſt: thus did the adminiſtration in this critical juncture prevent any coalition between the Diſſenters and Catholics, by rivetting their diſunion by the enviable extremes of indulgence and ſeverity.

† *Hærebat lateri lethalis arundo.*

a decree

a decree which, upon appeal, was reverſed by the lords. From their ſentence Anneſly appealed to the Engliſh peers, by whom the judgment given in his favor by the court of Exchequer was confirmed; and an order iſſued to put him in poſſeſſion of the diſputed eſtate. Againſt this determination, Sherlock petitioned the Iriſh Houſe of Lords. In this affair, the dignity of the peers and the privileges of the nation were deeply involved. The firſt ſtep the lords took, was to propoſe to the conſideration of the judges, whether by the laws of the land an appeal lay from a decree of the court of Exchequer in Ireland, to the king in parliament in Great Britain? This queſtion they determined in the negative. The peers then reſolved, that they would ſupport their honor, juriſdiction, and privileges, by giving the petitioner Heſter Sherlock effectual relief, purſuant to a former order. Notwithſtanding which, a petition was afterwards preſented to the houſe, by Alexander Burrowes, ſheriff of Kildare, ſetting forth, that his predeceſſor in office had put Heſter Sherlock in poſſeſſion of the premiſes: that upon his entering into office, an injunction agreeably to an order of the Engliſh peers, iſſued from the Exchequer, commanding him to reſtore Maurice Anneſly to the poſſeſſion of the above-mentioned lands: that not daring to act in contradiction to the order of the houſe he was fined: that, in conſequence of this, being afraid leſt he ſhould be taken into cuſtody, he durſt not venture to come in to paſs his accounts, for which he was fined twelve hundred pounds. Upon which the lords reſolved, "that Alexander Burrowes, Eſq. "in not obeying the injunction iſſued from his majeſty's court of Exchequer "in the cauſe between Anneſly and Sherlock had behaved himſelf with "integrity and courage, and with due reſpect to the orders and reſolutions "of the houſe. That the fines impoſed upon him be taken off: that the "barons of the Exchequer, viz. Jeffrey Gilbert, Eſq. John Pocklington, "Eſq. and Sir John St. Leger, had acted in violation of the orders of that "houſe, in diminution of the king's prerogative, as alſo of the rights and "privileges of the kingdom of Ireland and the parliament thereof." Orders then paſſed the houſe, that the barons of the Exchequer for this offence ſhould be taken into the cuſtody of the Black Rod, which were accordingly executed. In vindication of theſe meaſures and of the rights of the nation, they afterwards drew up a repreſentation to be preſented to his majeſty, in which they repreſented; that by many ancient records and ſundry acts of parliament, it appeared, that the kings and principal men of Ireland did without

without compulſion ſubmit to Henry II. as their liege lord, who at the deſire of the Iriſh, ordained that the laws of England ſhould be of force and obſerved in that kingdom. That by this agreement the Iriſh obtained the benefit of Engliſh law, with many other privileges, particularly that of having a diſtinct parliament, in which weighty and important matters relating to the kingdom were to be treated, diſcuſſed, and determined. That this conceſſion and compact, ratified by ſucceeding kings, encouraged the Engliſh to come over and ſettle in Ireland; where they were to enjoy the ſame laws, the ſame liberties, and a conſtitution ſimilar to that of England. That by this conſtitution and theſe privileges, his majeſty's ſubjects had been enabled to diſcharge their duty faithfully to the crown; that therefore they inſiſted upon them, and hoped to have them preſerved inviolable. That though the imperial crown of that realm were annexed to that of Great Britain, yet being a diſtinct dominion, and being no part of the kingdom of England, none could determine with reſpect to the affairs of it, but ſuch as were authorized by its known laws and cuſtoms, or the expreſs conſent of the king: that it was an invaſion of his majeſty's prerogative, and a grievance to his Iriſh ſubjects, for any court of judicature to take upon them to declare, that he could not by his authority in parliament, determine all controverſies betwixt his ſubjects of that kingdom; or that when they appealed to his majeſty in parliament in Ireland, they did not bring their cauſe before a competent judicature: that in relation to the removal of cauſes by appeal from that kingdom, the Iriſh judges being ſometimes ignorant of the common law of England, which was the rule of their deciſions, did apply to his majeſty for information, which he gave them by the advice and with the aſſiſtance of the juſtices of the King's Bench, who in ancient times conſtantly attended his perſon. That when the King's Bench came to be fixed, appeals were made to it, though the king were not perſonally preſent. That from hence it could not be inferred upon any ground, that appeals from the parliament of Ireland might be brought before the Houſe of Peers in England. They repreſented, that but two inſtances had ever occurred, of appeals from the Iriſh court of chancery to the Engliſh peers, prior to the revolution, and two inſtances ſubſequent to it, until the year ſeventeen hundred and three, none of which ought to affect the juriſdiction of the Iriſh lords; as by the principles and the nature of their conſtitution, whatever judicial powers were lodged in the Britiſh parliament, with reſpect to Great

Great Britain and its inferior courts, the ſame muſt likewiſe be veſted in the parliament of Ireland, with reſpect to that kingdom and its inferior courts. That therefore in the year ſeventeen hundred and three, upon a complaint of the Earl and Counteſs of Meath, that during the interval of parliament, an order of the Engliſh peers had diſpoſſeſſed them of certain lands, which had been decreed them here; the Iriſh parliament reſtored them effectually, to the undiſturbed poſſeſſion of them. That there was juſt reaſon to conclude, they would have acted the ſame part, reſpecting the appeal of the Biſhop of Derry, had he not been removed, and a compoſition made by his ſucceſſor with the London ſociety prevented it. Then they ſtated the appeal of Maurice Anneſly from their judgment, with all the particulars of the interference of the Engliſh lords in that cauſe injurious to their privileges; the pernicious conſequences of this uſurped juriſdiction of the Britiſh peers were next pointed out; and they obſerved to his majeſty, that it was the right and the happineſs of his ſubjects in that kingdom as well as of thoſe in Britain, that by their reſpective conſtitutions, juſtice was adminiſtered to them without much trouble or expence, in the kingdom to which they belonged; but if his majeſty were deprived of the power of finally determining cauſes in his court of parliament in Ireland, thoſe who were unable to follow them to Britain, muſt ſubmit to whatever wrongs they might ſuffer from the more rich and powerful. That if all judgments made in his majeſty's higheſt court within that kingdom, were ſubject to be reverſed by the lords in Great Britain, the liberty and property of all his ſubjects of Ireland, muſt thereby become finally dependent on the Britiſh peers, to the great diminution of that dependence, which by law they ought always to have on the Engliſh crown. That if the interference of the Engliſh lords in receiving appeals from Ireland ſhould be recognized and ſupported, it would take away the power from his majeſty of determining cauſes in his parliament of that country, and confine it entirely to the parliament of Britain. That the writs for ſummoning the lords and commons in both countries being the ſame, they muſt in each kingdom be poſſeſſed of equal powers, or elſe the peerage of their nation would be little more than an empty title; and the commons ſtand for ever deprived of the privilege of impeaching in parliament, which right could not poſſibly be maintained, if there were not within the realm a parliamentary judicature. That if the power of judicature could by a vote of the Britiſh lords be taken away from

from the parliament of Ireland, no reaſon could be given why the ſame lords might not in the ſame manner deprive them of the benefit of their whole conſtitution. That the lords of Great Britain had not in themſelves any way, either by law or cuſtom, of executing their decrees in Ireland. That this could only be accompliſhed by an extraordinary exertion of royal power, which would be highly prejudicial to the liberties of the Iriſh nation. And in concluſion, they informed his majeſty, that to prevent the appellant Eſther Sherlock, from making farther application to the Iriſh parliament, his deputy receiver had paid her the ſum of above eighteen hundred pounds, which to the prejudice of his majeſty's ſubjects, he expected would be refunded by government. That theſe proceedings of the *Engliſh* lords had greatly embaraſſed his parliament of Ireland, diſguſted the generality of his loyal ſubjects, and muſt of neceſſity expoſe all ſheriffs and officers of juſtice to the greateſt hardſhips by ſuch interference of different juriſdictions. They hoped that all theſe things being duly conſidered, his majeſty would juſtify the ſteps they had taken, for ſupporting his prerogative, and the juſt rights and liberties of themſelves and their fellow ſubjects.

The repreſentation and the proceedings of the Houſe of Lords in Ireland, concerning appeals being tranſmitted to his majeſty, purſuant to an addreſs for that purpoſe, they were laid before the Britiſh Houſe of Lords and read: upon which inſtead of departing from the mode of conduct they had adopted with reſpect to Ireland, they reſolved, that the barons of the court of Exchequer in Ireland, in their proceedings in the cauſe between *Anneſly and Sherlock*, in obedience to their orders, had acted with courage according to law, in ſupport of his majeſty's prerogative, and with fidelity to the crown of Great Britain; and that an humble addreſs be preſented to his majeſty, to confer on them ſome mark of his royal favor, as a recompence for the injuries they had received, by being unjuſtly cenſured, and illegally impriſoned for doing their duty.*

The Duke of Leeds alone entered a proteſt againſt theſe reſolutions:† the lords ordered a bill to be brought in, for the better ſecuring the dependency of Ireland, upon the crown of Great Britain, which‡ afterwards paſſed into

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* Jeffrey Gilbert, Eſq. was made a baron of the Exchequer in England, May 24th, 1722, and lord chief baron of that court, June 1ſt, 1725.

† This proteſt being very pointed and intereſting, is given in the Appendix, No. LVI.

‡ The bill being ſhort, and ariſing ſo immediately out of the particular facts alluded to, it is here annexed

a law. When the bill had been read a ſecond time in the Houſe of Commons, upon the motion for committing it to a committee of the whole houſe, a warm debate enſued. Mr. Pitt ſpoke againſt the bill, ſaying, "It "ſeemed calculated for no other purpoſe, than to encreaſe the power of the Britiſh Houſe of Peers, which, in his opinion, was already but too great." He was ſeconded by Mr. Walter Plummer, who excepted againſt the preamble of the bill, as incoherent with the enacting part, which was partly owned by Sir Joſeph Jekyll, who in the main, ſpoke for the bill. Mr. Hungerford, on the contrary ſide, endeavoured to ſhew, that Ireland was ever independent with reſpect to courts of judicature: and he was ſupported by the Lord Moleſworth, Lord Tyrconnel, and ſome other members. But Mr. Phillip Yorke having backed Sir Joſeph Jekyll, and the queſtion being put upon the motion, it was carried in the affirmative by 140 againt 83.*

About this time a freſh attempt was made in favor of the Pretender by the intrigues of the Cardinal Alberoni. An armament of twelve ſhips of the line, and ſeveral tranſports, was equipped, having on board 6000 regular troops, and arms for 12000 men. The command of this fleet was committed

annexed by way of hiſtorical illuſtration: 5 Geo. c. v. *An Act for better ſecuring the Dependency of the Kingdom of Ireland upon the Crown of Great Britain.*

Whereas attempts have been lately made, to ſhake off the ſubjection of Ireland unto, and dependence upon the imperial crown of this realm, which will be of dangerous conſequence to Great Britain and Ireland. And whereas the lords of Ireland, in order thereto, have of late, againſt law, aſſumed to themſelves a power and juriſdiction to examine, correct, and amend the judgments and decrees of the courts of juſtice in the kingdom of Ireland, therefore, for the better ſecuring of the dependency of Ireland upon the crown of Great Britain, may it pleaſe your majeſty, that it may be enacted, and it is hereby declared and enacted, by the king's moſt excellent majeſty, by and with the advice and conſent of the lords, ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid kingdom of Ireland hath been, is, and of right ought to be ſubordinate unto, and dependent upon the imperial crown of Great Britain, as being inſeparably united and annexed thereunto; and that the king's majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons of Great Britain, in parliament aſſembled, had, hath, and of right ought to have, full power and authority to make laws and ſtatutes, of ſufficient force, and validity, to bind the people and the kingdom of Ireland. And be it further enacted and declared, by the authority aforeſaid, that the Houſe of Lords of Ireland have not, nor of right ought to have any juriſdiction to judge of, affirm or reverſe any judgment, ſentence or decree, given or made in any court within the ſaid kingdom; and that all proceedings before the ſaid Houſe of Lords, upon any ſuch judgment, ſentence, or decree, are, and are hereby declared to be utterly null and void, to all intents and purpoſes whatſoever."

* Debates in the Commons, 1 vol. p. 213.

to the Duke of Ormond, with the title of captain general of his Catholic majeſty. He was provided with declarations in the name of the Spaniſh monarch, importing, that for many good reaſons he had ſent part of his land and ſea forces into England and Scotland to act as auxiliaries to King James. The Duke of Ormond ſailed from Cadiz and had proceeded as far as Cape Finiſterre, when the fleet was overtaken and diſperſed by a ſtorm, which entirely defeated the intended expedition. In juſtice to the unſhaken loyalty of Ireland, it ſhould be recollected; that at this time the tenantry on the Ormond property, was the moſt numerous in Ireland, the bulk of the nation was of the ſame religion as the pretender, Ireland lay more contiguous to Spain than Great Britain, and was leſs provided for defence againſt invaſion. Yet ſo ſternly loyal to the houſe of Hanover were the Iriſh Catholics, even at this early period after the acceſſion of the preſent illuſtrious family to the throne, that not even the intriguing Alberoni, the Spaniſh monarch, the Catholic pretender, or his enthuſiaſtic and then deſperate ſupporter Ormond, dared even to attempt to ſeduce them from their allegiance and civil duty.

The ſtatutes and parliamentary records ſhew the impartial and conciliatory principle, upon which the Iriſh government conducted themſelves towards the bulk of the Iriſh people, in return for their unſhaken loyalty to the houſe of Brunſwick. In the year 1719, the parliament paſſed an Act for Exempting the Proteſtant Diſſenters of that Kingdom from certain penalties, to which they were (in common with the Catholics) then ſubject.* And the preamble of the act moſt truly and liberally as far as it went, and politically ſet forth, that "the granting ſome eaſe and indulgence to the "Proteſtant Diſſenters in the exerciſe of religion, may be an effectual means "to unite his majeſty's Proteſtant ſubjects in intereſt and affection." This deſirable object ought certainly not to have been confined to his majeſty's *Proteſtant* ſubjects: and ſo indeed thought his grace the Duke of Bolton, who in his ſpeech on the day that the bill paſſed, falſified the words of that ſtatute, in order to take off the ſting,† which this groſs and unmerited partiality

* 6th Geo. c. v.

† The lieutenant's ſpeech was made on the 2nd of November, 1719. And on the 10th of the preceding Auguſt, the jealouſy of the Catholics at the favor ſhewn to the Diſſenters, was very much encreaſed by the anſwer of his majeſty to the addreſs of the commons in favor of the Diſſenters. 8 *Journ. Com. p.* 216. "His majeſty is glad to find them (his faithful commons) ſenſible of the "danger

tiality for the few to the excluſion of the many neceſſarily carried with it. "The advanced ſeaſon of the year makes it proper to put an end to this "ſeſſion, that you may have an opportunity to take care of the public peace "in your ſeveral counties, and to keep a vigilant eye over thoſe, who may "have a deſire to diſturb it; but of this you will have leſs occaſion to be "apprehenſive, if you ſhall uſe your endeavours to cultivate that, which "will be your beſt ſecurity againſt all foreign and domeſtic enemies, and "which for that reaſon I muſt in a ſpecial manner, recommend to you in "the words of one of thoſe excellent bills paſſed this day, I mean, *an union "in intereſt and affection amongst* ALL *his majeſty's ſubjects.*" Unfortunately for the people of Ireland the words of the ſtatute were operative and laſting: thoſe of the lord lieutenant inſidious, falſe, and tranſient: but the ſpeech of the lieutenant acquired inſtant circulation: the people read, what they never experienced: and they ſmarted under what they never read. When the Duke of Grafton cloſed the next ſeſſion of parliament, in the ſame ſpirit of harſhneſs and miſtruſt towards a people, which had evinced ſuch eminent ſteadineſs to the new family on the throne, he told them;* "I perſuade "myſelf that the ſame principles, which have influenced your actions in "parliament, will excite you to put the laws in execution, when you return "to your ſeveral counties. I think it incumbent upon me, particularly "to recommend it to you, to keep a watchful eye over the Papiſts, ſince I "have reaſon to believe, that the number of Popiſh prieſts is daily encreaſing "in this kingdom, and already far exceeds what by the indulgence of the "law is allowed." Neither the auſterity of government towards the Catholics, nor its invidious predilection and indulgence to the Diſſenters, nor the lapſe of time, nor any intermediate circumſtance, that threatened danger to the eſtabliſhment, could relax the fervor or ſhake the ſteadineſs of their

"danger of the Eſtabliſhed Church of Ireland, from the great number of Papiſts and other diſ-"affected perſons, hoping this conſideration will incline them to enter upon ſuch methods as may "make the Proteſtant Diſſenters not only more eaſy, but alſo more uſeful to the ſupport of the "conſtitution both in church and ſtate, and will prove a great addition of ſtrength to the Proteſtant "intereſt." It would certainly have been more politic, and fully as decent, had his majeſty's ſervants recommended an attention to the general intereſt of Ireland, in lieu of an excluſive attention to the *Proteſtant* intereſt, which formally ſhut out the intereſts of three fourths of the people. His preſent majeſty was the firſt Engliſh monarch who took a ſhare in the intereſts of the whole people of Ireland.

* 8 Journ. Com. p. 314.

loyalty and zeal for the houſe of Hanover. The ſame noble duke in opening the ſeſſion in 1723, rendered to the Catholics, perhaps an inadvertent, certainly not an unimportant eulogy, upon the actual confidence placed in their loyalty in the very achme of alarm and danger. The traiterous projects (ſaid his grace) "that were near ripe for execution the laſt year, made it "adviſable to call for ſix regiments of foot from Ireland, and as the ſcene "of blood and confuſion, that was then opening in Great Britain muſt have "ſoon reached this country, his majeſty could not more effectually ſhew his "tender regard for his ſubjects, than by ordering that ſeaſonable reinforce-"ment for ſecuring peace in that part of his majeſty's dominions." And it is ſingular, that in the very ſpeech, which proved, that the Catholics were ſo little ſuſpected of diſaffection to the government, as to make it adviſable and ſafe, to ſend ſix regiments from Catholic Ireland, for the defence of Proteſtant Britain, his grace added,* "I cannot but think it a matter de-"ſerving your ſerious attention, to provide ſome laws for the further ſtrength-"ening of the Proteſtant intereſt of this kingdom, particularly for preventing "more effectually the eluding of thoſe in being againſt Popiſh prieſts, it "being too notorious that the number of ſuch is of late greatly encreaſed." Removed, as we now fortunately are, out of that vortex of bigotry and fanaticiſm, which had the peculiar quality of rendering thoſe who moved in it inſenſible of their own infection, it appears difficult to believe, that the legiſlature of any nation ſhould have buſied themſelves in ſubtilities, inventions, and reſolutions, to provoke, criminate, aggrieve, and puniſh the great maſs of the people, who were eminently obſervant of all their civil duties. Such were the reſolutions of the commons in 1723,† upon which leave

* 3 Journ. Com. p. 314.

† 3 Journ. p. 346, 2nd of October, 1723. Dr. Trotter reported from the committee appointed to enquire into the moſt effectual means to prevent the ſame, that they had come to ſeveral reſolutions in the matter to them referred, which he read in his place, and afterwards delivered at the table, where the ſame were again read, and are as follow:

1ſt Reſolved, "That it is the opinion of this committee, that Popery has greatly encreaſed within "theſe few years in this kingdom, occaſioned by the many ways found out and practiſed by the "Papiſts, to evade the ſeveral laws already made to prevent the further growth of Popery.

"2nd Reſolved, That it is the opinion of this committee, that the neglect of ſeveral magiſtrates "and officers of the peace, in executing the laws againſt Papiſts, has greatly contributed to the "growth of Popery.

"3rd

leave was given to bring in heads of a bill for explaining and amending the acts to prevent the further growth of Popery and for ſtrengthening the Proteſtant intereſt in that kingdom. Heads of a bill were accordingly prepared with all the inventive acrimony, which infuriated fanaticiſm could deviſe: and one bluſhes for the humanity of an Iriſh Houſe of Commons, which in ſatiating its luſt for perſecution, adopted unanimouſly a clauſe in the bill for caſtrating every Catholic clergyman that ſhould be found in the realm. The bill thus ſurcharged with this Gothic barbariſm, was preſented on the 15th of November, 1723, to the lord lieutenant by the commons at the caſtle, and they moſt earneſtly requeſted his grace *to recommend the ſame in the moſt effectual manner to his majeſty*, humbly hoping from his majeſty's goodneſs and his grace's zeal for his ſervice and the Proteſtant

"3d Reſolved, That it is the opinion of this committee, that the recommending of perſons converted from the Popiſh religion, by which they may be put too early into the commiſſions of peace, is highly prejudicial to the Proteſtant intereſt of this kingdom.

"4th Reſolved, That it is the opinion of this committee, that it is highly prejudicial to the Proteſtant intereſt, and an encouragement to Popery, that any perſon married to a Popiſh wife ſhould bear any office or employment under his majeſty.

"5th Reſolved, That it is the opinion of this committee, that no perſon who is, or ſhall become a convert from the Popiſh to the Proteſtant religion, ought to be capable of any office or employment under his majeſty, unleſs he ſhall breed up all his children to the age of fourteen years to be of the Church of Ireland, as by law eſtabliſhed.

"6th Reſolved, That it is the opinion of this committee, that no perſon that is, or ſhall be converted from the Popiſh to the Proteſtant religion, be capable of any office or employment under his majeſty, or practiſe as a barriſter, attorney, or ſolicitor, for the ſpace of ſeven years after his converſion; and unleſs he brings a certificate of having received the ſacrament thrice in every year during the ſame term.

"7th Reſolved, That it is the opinion of this committee, that no perſon who is, or ſhall be converted from the Popiſh religion, ought to be deemed or taken as a Proteſtant in any reſpect whatſoever, that has not already, or ſhall not within a year produce a certificate of his converſion and enroll the ſame.

"8th Reſolved, That it is the opinion of this committee, that notwithſtanding the laws now in being againſt Popery, the number of Popiſh prieſts and friars has of late years encreaſed in this kingdom, to the danger of the Proteſtant religion."

The five firſt reſolutions being ſeverally put, the ſame were agreed to by the houſe *nemine contradicente*.

And the ſixth reſolution being put, the ſame was agreed to by the houſe with an amendment.

And the ſeventh and eighth reſolutions being ſeverally put, the ſame were agreed to by the houſe *nemine contradicente*.

intereſt

intereſt of that kingdom, the ſame might be obtained to paſs into a law.* It was tranſmitted to England, and for the honor of humanity, there ſuppreſſed with becoming indignation.† The lord lieutenant, on proroguing the parliament, conſoled them for the loſs of their favorite bill, by attributing its failure to their having brought it in at ſo advanced a period of the ſeſſion: recommending to them again a more vigorous execution of the penal laws againſt the Catholics, and aſſuring them that he would contribute his part towards the prevention of the growing evil (of Popery), by giving proper directions, that henceforward ſuch perſons only ſhould be put into the commiſſion of the peace, as had diſtinguiſhed themſelves by their fidelity to his majeſty, and by their ſteady adherence to the Proteſtant intereſt.‡

Whilſt the Catholics of Ireland were in open rebellion againſt their ſovereign, as they were in the days of Elizabeth, whilſt they were making head againſt Puritannical regicides in the days and in ſupport of the unfortunate Charles, whilſt they were fighting under the banners of their lawful ſovereign James II. who certainly had *not* abdicated the throne of Ireland, they were upon ſome principle conſidered as enemies: but as from the treaty of Limerick to the acceſſion of George I. they were guilty of no act of hoſtility, it became the ill judged and unjuſt policy of future governments, to retain the appellation of *common enemy*, and apply it to the great maſs of the people of Ireland, for a variety of purpoſes, which appear manifeſt to the unbiaſſed obſerver, and unjuſtifiable to every perſon, who profeſſes to adopt the mild and equitable principles of our conſtitution. A very large ſhare of the political power and influence of Ireland had been retained by the Oliverian party, who, with ſtrong tinctures of their original ſpirit, had adopted the appellation without the principles of the whigs, and were thereby enabled to keep up their political conſequence, and uſe it to the diſcomfiture of their real adverſaries, whom they affected to brand and rejoiced in perſecuting as the *common enemy:* the tory party, which conſiſted chiefly of churchmen

* 3 Journ. Com. p. 366. His grace returned the following anſwer. "I have ſo much at heart "a matter, which I recommended to the conſideration of parliament at the beginning of this ſeſſion, "that the Houſe of Commons may depend upon a due regard on my part to what is deſired."

† Some Iriſh hiſtorians attribute the failure of this bill to the humane interpoſition of Cardinal Fleury with Mr. Walpole. Yet ſurely there needed no Gallic interference for the damnation of a law of ſuch ſavage turpitude.

‡ 3 Journ. Com. p. 389.

and

and Catholics though united upon political, yet divided upon religious principles: the Proteſtant Tories therefore imagined that by a ſemi-coalition with the Iriſh whigs, who then were chiefly Diſſenters, they ſhould the more readily keep down the poſſibility of a Catholic *aſcendancy*:* the Engliſh intereſt kept alive

* Although party political writers muſt ever be read with caution and great allowances, yet writing in the ſpirit of the parties and times in which they lived, they are ſure directories to the future hiſtorian in tracing the origin, nature, powers, and extent of the parties, which appeared on the political ſcenes, it becomes his duty to repreſent. Theſe elucidations might be worked up into a treatiſe: I ſhall ſelect only ſome paſſages from known writers, in order to verify the ſtatement of the parties in Ireland at this period, which I am called upon to ſubmit to my readers. I reſume not the merits of theſe oppoſite writers: ſtill leſs do I profeſs to adopt their opinions. The late Lord Clare (in his memorable ſpeech on the union, which muſt ever be looked up to as a moſt precious and authentic repoſitory of modern opinions upon the paſt conduct of the Britiſh cabinet with reference to Ireland; has thus referred to the political ſituation of Ireland at the time we are alluding to. (p. 26.) "The parliament of England ſeem to have conſidered the permanent "debility of Ireland, as the beſt ſecurity of the Britiſh crown, and the Iriſh parliament to have "reſted the ſecurity of the colony, upon maintaining a perpetual and impaſſable barrier againſt "the ancient inhabitants of the country. The executive government was committed nominally "to a viceroy, but eſſentially to lords juſtices, ſelected from the principal ſtate officers of the "country, who were entruſted with the conduct of what is called the king's buſineſs, but might "with more propriety have been called the buſineſs of the lords juſtices. The viceroy came to "Ireland for a few months only in two years, and returned to England perfectly ſatisfied with his "miſſion, if he did not leave the affairs of the Engliſh government worſe than he found them: "and the lords juſtices in his abſence were entruſted implicitly with the means of conſolidating "an Ariſtocratic influence, which made them the neceſſary inſtruments of the Engliſh govern-"ment." Primate Boulter, who from the year 1724 to the year 1742, was the main ſpring of the Engliſh politics and the inſtrument of the Britiſh cabinet in Ireland, gave to the Duke of Newcaſtle the following caution againſt Swift. (*1 vol. p. 62, Boulton's Let.*) "The general report "is, that Dean Swift deſigns for England in a little time; and we do not queſtion his endeavours "to miſrepreſent his majeſty's friends here, wherever he finds an opportunity: but he is ſo "known, as well as the diſturbances he has been the fomenter of in this kingdom, that we are "under no fear of his being able to diſſerve any of his majeſty's faithful ſervants, by any thing that "is known to come from him: but we could wiſh ſome eye were had to what he ſhall be attempt-"ing on your ſide of the water." But we muſt recollect, that this letter of the primate was dated on the 10th of February, 1725, O. S. which was about ten weeks after Swift had written to Pope, (on the 26th of November, 1725) about Mr. Phillips, the primate's ſecretary, and the footing that he and his lordſhip were on. "Phillips is *fort chancellant*, whether he ſhall turn parſon or no. But "all employments here are engaged, or in reverſion. Caſt wits and caſt beaux have a proper "ſanctuary in the church: yet we think it a ſevere judgement that a fine gentleman and ſo much "the finer for hating eccleſiaſtics, ſhould be a domeſtic humble retainer to an Iriſh prelate: he is "neither

alive theſe different diviſions and ſubdiviſions of parties, for the ungenerous and Machiavelian purpoſe of dividing and governing Ireland as a conquered people.

" neither ſecretary nor gentleman uſher, yet ſerveth in both capacities. He hath publiſhed ſeveral " reaſons why he never came to ſee me: but the beſt is, I have not waited on his lordſhip." Swift ever ſupported the natural intereſts of Ireland both againſt the Diſſenters and whig party, who in his ideas endeavoured to monopolize the whole political influence of the country, and againſt the power of the Britiſh cabinet, whoſe ſyſtem it was to keep Ireland in a ſtate of perpetual bondage and ſubſerviency to the mere nod of the conqueror. " Therefore," ſaid he in *his State of Ireland*, " It " is too well known, that we are forced to obey ſome laws, we never *conſented to;* which is a " condition I muſt not call by its true uncontrouled name, for fear of Lord Chief Juſtice Whit- " ſhed's ghoſt with his *libertas et natale ſolum* written for a motto on his coach, as it ſtood at the " door of the court, whilſt he was perjuring himſelf to betray both." Swift rendered himſelf particularly obnoxious to government about this time, by publiſhing his Drapier's Letters, and other patriotic works in defence of his oppreſſed country, but eſpecially for his propoſal for the univerſal uſe of Iriſh manufactures, in clothes and furniture of houſes, utterly rejecting and renouncing every thing wearable, that came from England: on account of which publication, a proſecution was ſet on foot againſt Waters the printer, by the expreſs command of the lord lieutenant, who ſent to the Lord Chief Juſtice Witſhed before the trial, informing him, that a moſt ſeditious, factious, and virulent libel had been publiſhed, with a deſign of ſetting the two kingdoms at variance, and therefore that the printer ſhould be proſecuted with all the ſeverity of the law. The lord chief juſtice's zeal on ſuch an occaſion wanted no ſpur: however he outran his commiſſion, by indecently declaring towards the commencement of the trial, that the author's intention was to bring *in the pretender*. Government had offered a reward of 300l. for the diſcovery of the author of theſe letters: but ſo popular and intereſting to Ireland was the ſubject of them, that no one was found baſe enough to betray him: which firmneſs in the cauſe brought on the proſecution of the printer. In Ireland more than elſewhere does a jury feiſe the ſpirit of the day. Notwithſtanding they had found their verdict *not guilty*, yet ſo determinately was the chief juſtice bent upon procuring a verdict for the crown, that he kept the jury out eleven hours, and ſent them nine times out of court, until at laſt he wearied them into a *ſpecial verdict*. This appears fully confirmed by one of the Primate's letters to the Duke of Newcaſtle, *(1 vol. p. 112)* and accounts for his lordſhip's anxiety to be removed to the common pleas, where he would be placed out of the occaſion of executing again ſuch commands of government. " My Lord Chief Juſtice Witſhed has been " with me to deſire he may be recommended to ſucceed Lord Chief Juſtice Wyndham. He re- " preſents that he has with great zeal and fidelity ſerved his majeſty, and made himſelf many " enemies by ſo doing, and would hope for this favor as a reward of his ſervices. I muſt do him " the juſtice to ſay, that he has certainly ſerved his majeſty with great zeal and affection, and has " drawn on himſelf the anger of the Jacobites by ſo doing and other diſcontented perſons here, " by diſcountenancing ſeditious writings in the affair of the *halfpence*." Upon the death of Witſhed Auguſt 1727, the primate's communications with Lord Carteret, then lord lieutenant, lay open to public view, the nature of the Engliſh intereſt, and the principles by which it was ſupported

" in

people. The Catholics broken down by oppreſſion ſcarcely claimed their rights of exiſtence, and were occaſionally made the paſſive inſtruments of the three other parties according to the exigencies of their ſeveral temporary projects: and were too often made objects of new rigor and perſecution, for the ſole purpoſe of withdrawing the attention of their opponents from meaſures, which the particular parties wiſhed to carry. Several meaſures of the Britiſh cabinet with reference to Ireland, immediately tended to convince

in Ireland. "I muſt take this occaſion to preſs your excellency that his place may be filled from "England. I can aſſure your lordſhip, that we have by experience found the want of two Engliſh "judges in the privy council, ſince the removal of my lord chancellor to his preſent poſt: and I "am confident, where there is the leaſt ſhew of an affair between England and Ireland, or where "there is need of impartiality between any contending parties, that may be before the council, we "ſhall be in the laſt diſtreſs, if this vacancy be not filled from England." (1 *vol. p.* 194.) And in a letter of the ſame date to the Duke of Newcaſtle, (p. 195) he ſays: "we have found by "experience ſince the lord chief baron has been the only Engliſhman amongſt the three chief "judges, that things have gone very heavy in the privy council here. When any thing is tranſact-"ing in council, that can be thought to be for the advantage of England, or where any perſon of "conſideration here may be offended, the beſt we can hope for from a native of this place is, that "he will ſtay away from council, inſtead of promoting the king's ſervice by his preſence and "debating."

As the patronage of Ireland as well as England reſted with the crown, no wonder, that the Engliſh intereſt acquired and ſo long kept its aſcendancy over all the other parties: and it appears from this prelate's letters, how far it was ſyſtematically applied to that intent. So ſaid he to his grace of Newcaſtle on the 16th of November, 1725: "I am very ſorry, that I muſt ſend your "grace word, that yeſterday the *diſcontented* carried every thing before them, and have falſely "ſtated the debt of the nation, and (in effect) cloſed the ſupply. Great pains have been taken by "my lord lieutenant and by all his majeſty's ſervants and friends of conſequence, to bring the "members to reaſon, and much has been ſaid in the houſe in debates on theſe occaſions, on the "ſide of his majeſty's ſervice. There wants no accident here to furniſh a bottom of popularity, "every one having it always in his power to grow popular, by ſetting up for the Iriſh in oppoſition "to the Engliſh intereſt. And there is no doubt, but ſome occaſion of things going as they have, "has been an unwillingneſs in too many to ſee an *Engliſh* adminiſtration well eſtabliſhed here: "and an intention to make all the *Engliſh* already here, uneaſy, and to deter others from coming "hither. But if thoſe, who have places here, and yet have joined in the late meaſures, are "remembered after the ſeſſions; and if nobody finds his account in having headed the oppoſition "made now to his majeſty's ſervice, I do not doubt but the face of affairs here will gradually alter, "and we may hope the next ſeſſion will be more eaſy and ſucceſsful." This prelate's letters ſuperabound with the moſt impreſſive importunities to all the members of the Britiſh cabinet, that none but Engliſhmen ſhould be put into the great places in Ireland in future. A ſyſtem of political intrigue moſt injurious to Ireland, is the burthen of his whole correſpondence.

the *whole of the Iriſh nation*, that the proſperity, welfare, and felicity of that kingdom, had but little ſway in determining their conduct towards it. Hence the Tory party, which ſtill perſiſted in their old principles to oppoſe the Whig adminiſtration, being joined by thoſe, who threw their eyes upon the real ſtate of their country and exerted their efforts to advance its proſperity, the whole of the old and new party acquired (and perhaps not undeſervedly) the *common* appellation of *patriots*.* This was the party, which Primate

* Amongſt theſe ſhone conſpicuouſly Dean Swift, whoſe Drapier's Letters have at all times been conſidered amongſt the moſt effectual engines uſed in procuring the reverſal of Wood's patent. The ſubject is there treated with much force and perſpicuity, and the pernicious conſequences to Ireland are pointed out with peculiar judgment and effect. In the ſame ſpirit did the dean write his *State of Ireland;* The *Preſbyterians Plea of Merit*, and afterwards, *Reaſons for repealing the Sacuamental Teſt, written in the Stile of a Roman Catholic*, and ſeveral other works. In his *State of Ireland*, he ſays, "Ireland is the only kingdom I ever heard or read of, either in ancient or "modern ſtory, which was denied the liberty of exporting their native commodities and manufac- "tures wherever they pleaſed, except to countries at war with their own prince or ſtate: yet "this privilege by the ſuperiority of mere power, is refuſed us in the momentous parts of com- "merce: beſides an act of navigation, to which we never conſented, pinned down upon us and "rigorouſly executed, and a thouſand other unexampled circumſtances as grievous as they are "invidious to mention." Then enumerating ſeveral, he adds, "in all which we have likewiſe "the honor to be diſtinguiſhed from the whole race of mankind." So ſenſible was Swift of the wretched ſtate of policy in the government of Ireland, that he wrote an eſſay which he intituled, *Maxims controuled in Ireland*. He ſets out by obſerving, that there are certain maxims of ſtate founded upon long obſervation and experience, drawn from the conſtant practice of the wiſeſt nations, and from the very principles of government, nor ever controuled by any writer upon politics. He then undertakes to prove (he unfortunately ſucceeded too well in proving) the falſity of the following maxims as to Ireland.

1ſt. That the dearneſs of things neceſſary for life in a fruitful country is a certain ſign of wealth and great commerce: for when ſuch neceſſaries are dear, it muſt abſolutely follow, that money is cheap and plentiful.

2d. That low intereſt is a certain ſign of great plenty of money in a nation.

3d. That the great encreaſe of buildings in the metropolis argues a flouriſhing ſtate.

4th. That people are the riches of a nation. The practical inverſion of theſe axioms in Ireland, is the moſt damning proof of the infelicity and bad government of that country. In ſupport of his obſervations on the fourth of theſe maxims, he tells a too lamentable truth: that above one half of the ſouls in that kingdom then ſupported themſelves by begging and thieving, whereof two thirds would be able to get their bread in any other country upon earth: he therefore ſaid, "he rejoiced "at a mortality as a bleſſing to individuals and the public." In order to form an unbiaſſed judgment of the ſtate of Ireland at the period under conſideration; it is fitting to ſee what the great manager

Primate Boulter always affected to term *the diſcontented*, and not unfrequently the *king's enemies*: and of whoſe ſucceſsful oppoſition, to the meaſures of thoſe whom his grace termed *the king's ſervants, and conſequently his friends*, he had complained. In no inſtance were the exertions of the patriots more brilliantly ſucceſsful than in oppoſing Mr. Wood's patent for coining half-pence, which they conſidered as one of thoſe infamous jobs, of which ſuch loud and repeated complaints have been ſince heard in Ireland.

As there had not been for many years a coinage of copper in Ireland, the low medium of half-pence and farthings had become very ſcarce; and the deficiency was found to be attended with great inconveniency. Applications were made to England for a new coinage; but in vain. What was refuſed to the loud and impreſſive voice of the Iriſh nation, was granted to the intriguing and unfair influence of a ſpeculating individual, one William Wood; who obtained a patent for coining copper half-pence and farthings for the uſe of Ireland, to the amount of 108,000*l.*, and which he made of

manager of the Engliſh intereſt in Ireland ſays on the other ſide of the queſtion. Primate Boulter upon his arrival in Dublin in November 1724, informs his grace of Canterbury, "that I have little "to complain of, but that too many of our own original eſteem us Engliſhmen as intruders." Within a fortnight, he informs the Duke of Newcaſtle, that, "We are in a very bad ſtate, and the "people ſo poiſoned with apprehenſions of Wood's half-pence, that I do not ſee there can be any "hopes of juſtice againſt any perſon for ſeditious writings, if he does but mix ſomething about "Wood in them." "All ſorts here are determinately ſet againſt Wood's half-pence, and look upon "their eſtates as half ſunk in their value, whenever they ſhall paſs upon the nation. Our pamphlets "and the diſcourſes of ſome people of weight run very much upon the independency of this king-"dom: and in our preſent ſtate, that is a very popular notion."——"Though all people are "equally ſet againſt Wood here, yet many of the preſent madneſſes are ſuppoſed to come from "Papiſts mixing with and ſetting on others, with whom they formerly had no manner of correſpon-"dence." Upon a report of an appointment having been promiſed of the See of Dublin on the illneſs of Archbiſhop King, who had been tranſlated from Derry to that ſee in the year 1702, Primate Boulter tells the Duke of Newcaſtle, "If *I* be not allowed to form proper dependencies here, "to break the preſent Dublin faction on the Bench, it will be impoſſible for me to ſerve his majeſty "further than in my ſingle capacity. I do not ſpeak this, as if I did not think there are ſome on the "Engliſh Bench, that would do very well in Dublin, and would heartily join with me in promoting "his majeſty's meaſures: or that I do not eſteem it wiſe gradually to get as many Engliſh on the "Bench here, as can decently be ſent hither: but that I think being on the Engliſh Bench alone is "not a ſufficient qualification for coming to the beſt promotions here, and that an imprudent per-"ſon may be eaſily tempted by *Iriſh* flattery to ſet himſelf at the head of the Archbiſhop of Dublin's "party in oppoſition to me: and beſides as there is a majority of Biſhops here that are natives, "they are not to be diſobliged at once." (4th of March 1724.)

ſuch baſe alloy, that the whole maſs was not worth 8000*l.* Of this baſe coin he poured an immenſe infuſion into Ireland. Braſs multiplied beyond example: was not only uſed in change, but attempted to be forced in payments. The Iriſh nation took the alarm, and made it a national cauſe: and it may be ſaid to have been the firſt, in which all parties in Ireland had ever come to iſſue with the Britiſh Cabinet. The Iriſh parliament, in an addreſs to the throne, told the king, they were called upon by their country to repreſent the ill conſequences to the kingdom likely to reſult from Wood's patent: that the diminution of the revenue and the ruin of trade was the proſpect, which it preſented to view. An application from the privy council of Ireland to the king ſpoke the ſame language: and addreſſes from moſt of the city corporations throughout the kingdom to the like effect were handed up to the throne. At the quarter ſeſſion, the country gentlemen and magiſtrates unanimouſly declared againſt it. And the grand jury of the county of Dublin preſented all perſons, who attempted to impoſe upon the people of Ireland the baſe coin, as enemies to government, and to the ſafety, peace and welfare of his majeſty's ſubjects. It was not to be expected, that an individual ſpeculator, who could raiſe an intereſt with the Britiſh Cabinet more powerful than the united voice* of the whole people of Ireland, ſhould forego all his golden proſpects of enormous gains from the oppoſition of thoſe, whom he had in the firſt inſtance baffled and defeated. He ſtill commanded ſuch influence with his patrons, as to bring forth a report from the privy council of England in his favor, which caſt very ſevere (not to ſay indecent) reflections upon the parliament of Ireland, for having oppoſed his patent. After the nation had been kept in turbulent agitation for a year by the real or imaginary effects of this job, tranquility was at laſt reſtored by his majeſty's revocation of the patent, which put an end to the currency of this baſe money, and opened to Ireland a dawn of confidence, that their ſovereign's ear would not be for ever ſhut againſt the united voice of his Iriſh people.†

Little

* For the addreſs of the commons to the king, in the firſt inſtance, vide 3 Journ. 325, and for their addreſs to his majeſty on his gracious anſwer to the firſt addreſs, page 368.

† The Primate Boulter found the real ſpirit of the nation ſo pointedly againſt enforcing Wood's patent, that he was compelled even reluctantly to recommend its revocation. "As the ſeſſion of "parliament," ſaid he to his grace the Duke of Newcaſtle on the 3d of July 1725, "is now drawing near, I hope my lord lieutenant will be empowered in his ſpeech to ſpeak clearly as to the "buſineſs of the halfpence, and thoroughly rid this nation of their fear on that head: I ſhall "hope

Little elſe happened during the remainder of the reign of George the firſt, that in any manner affected Ireland: he died on the 11th of June 1727. His enemies have never charged him with any perſonal vices: having come to the throne at an advanced period of life, his deportment and manner were rather reſerved and formal: he was attentive to buſineſs: and had the good fortune to have the merits of his reign attributed perſonally to himſelf, whilſt its defects were thrown upon the corruption and falſe principles of his miniſters.

" hope if that is done we ſhall have a pretty eaſy ſeſſion." And " if the dread of Wood's half-
" pence is effectually removed, I hardly doubt of a good iſſue of the ſeſſion." The primate, though he could have no doubt of the impropriety and miſchief of Wood's patent, yet in the true ſtile of courtly protection to its own creatures, he always contended " that *Wood* could not be
" ſuppoſed willing to reſign it without a proper compenſation, (as if the obtaining ſuch a patent
" had been a work of meritorious or laborious ſervice) and that the ſeditious and clamorous beha-
" viour of too many here, muſt rather tend to provoke his majeſty and his miniſtry to ſupport the
" patent, than to take any extraordinary ſteps to ſink it: and that therefore the moſt proper way
" ſeemed to be, the propoſing ſome reaſonable amends to Mr. *Wood*, in order to his reſigning the
" patent." (*Letter to the Duke of Newcaſtle, 19th of January* 1724.) However, upon the 25th of September 1725, he tells Lord Townſend, " I muſt likewiſe acknowledge the obligation
" we all lie under here for your procuring ſo great an inſtance of his majeſty's goodneſs, as the
" revoking of *Wood*'s patent."

CHAPTER IV.

THE REIGN OF GEORGE THE SECOND.

UPON the demiſe of George the Firſt, his ſon aſcended the throne without diſturbance or oppoſition. Now for the firſt time ſince the Revolution did the Roman Catholics of Ireland venture to approach the throne by a public act of their body. The penal laws had been ſomewhat multiplied, and rigorouſly executed during the late reign. It was ſtill freſh in the minds of the Catholics, that the ſevere laws of Queen Ann were ſaid to have been paſſed againſt them as a puniſhment for their having neglected to addreſs her on her acceſſion to the throne. The extreme virulence, with which they had been recently calumniated from the preſs, the pulpit, and the ſenate, on account of the rebellion of 1715, deterred them from offering any addreſs upon the acceſſion of the Hanover Family. At this juncture, however, they drew up an addreſs of congratulation, which in a dignified manner expreſſed loyalty to their ſovereign, and pledged them to a continuance of their peaceful and quiet demeanour. It was preſented to the lords juſtices, by Lord Delvin and ſeveral reſpectable Catholic gentlemen; but it was received with ſilent contempt. The lords juſtices, who were humbly entreated to tranſmit it to his majeſty, never condeſcended to make an anſwer to thoſe, who preſented it; nor has it been known to this day, whether it reached the hands of the ſovereign, or were ſtrangled in its birth by the heads of the *Engliſh intereſt*, who dreaded nothing ſo much as the united loyalty of the people of Ireland. The ſevere ordeal, which Catholic loyalty had paſſed during the reign of George the Firſt, had it ſeems ſo far blunted the edge of calumny, that public vituperation was conſidered no longer prudent. The great engine, patron, and ſupporter of the *Engliſh* intereſt in Ireland, was Primate Boulter; who well knew that the oppoſite party, hitherto known by the diſtinction of *Tories*, which he affected to call the *diſaffected*, and *the king's enemies*, were acquiring daily ſtrength by the acceſſion of all thoſe who, as patriots, preferred an *Iriſh* to an *Engliſh* intereſt in their native country;

and

and ſenſible that the means of ſupporting the *Engliſh* intereſt would not bear the light, his Grace effected, by a *coup de main*, a bold meaſure, which would probably have failed, had it been previouſly canvaſſed and openly debated in the then prevailing temper of the public mind.

However grievous were the penal laws impoſed upon the Catholics during the reigns of Elizabeth and Ann, it is but juſtice to allow, that none of them had deprived them of the *elective franchiſe*, that eſſential and firm armour of a free conſtitution. By the 24th ſection of the moſt vexatious and oppreſſive of all thoſe acts, 2 Ann, c. 6. *An Act to prevent the further Growth of Popery*, it was indeed enacted, "that from and after the 24th day of March, "1703, no freeholder, burgeſs, freeman, or inhabitant of that kingdom being "a Papiſt, or profeſſing the Popiſh religion, ſhould at any time thereafter "be capable of giving his or their vote for electing of knights of any ſhires "or counties within that kingdom, or citizens or burgeſſes to ſerve in any "ſucceeding parliament, without firſt repairing to the general quarter ſeſſion "of the peace to be holden for the counties, cities or boroughs wherein ſuch "Papiſts did inhabit and dwell, and there voluntarily taking the oath of "allegiance, and alſo the oath of abjuration, and obtaining a certificate "thereof from the clerk of the peace." Now as it was well known from the tried loyalty and attachment of the Catholics to the family on the throne, that they were generally ready to take theſe oaths, the harſh plan was formed to ſhut them out of this only participation of the conſtitution. The attention, which the nation now began to pay to their civil rights, and the part which the Catholics took in the elections, being the only occaſion on which they could exerciſe any *civil* right that had weight in the ſtate, awakened the primate's jealouſy and alarm, and drove him to the deſperate reſolution of upholding the *Engliſh intereſt** in Ireland by disfranchizing above four-fifths

* As much of Primate Boulter's letters as the editor has favoured us with, openly avows this prelate's principles upon the ſubject. Within three weeks after the death of the king, he writes to the Duke of Newcaſtle, (1 vol. p. 177) "every thing here is very quiet:" and on the ſame day he informs Lord Townſend (p. 176), "we have no other buſtle amongſt us than what ariſes "from the warm canvaſs going on in all parts about the election of members for the enſuing par-"liament." He had three days before apprized Lord Carteret, then lord lieutenant, (p. 173,) "that the whole kingdom was in the utmoſt ferment about the coming elections. I can ſafely "appeal (ſaid his grace) to your excellency for my having to the beſt of my power ſerved his late "majeſty, and ſupported the *Engliſh intereſt* here: and I ſhall always ſerve his preſent majeſty as faithfully?

fifths of its population.† The great oppoſition to the *Engliſh* intereſt, which it was the pride and boaſt of this prelate to ſupport, was dreaded from thoſe who

" faithfully: but to be able to do it with the good effect I deſire, I hope I ſhall be as well ſup-
" ported as I have been. Your excellency knows I have nothing to aſk: and I believe princes
" have ſeldom over many, that are diſpoſed to ſerve them as faithfully on ſo eaſy terms. It would
" put a good ſpirit into the *king's friends* here, and particularly the *Engliſh*, if they knew, by your
" excellency's means, what they had to depend upon. There is another thing I cannot but ſug-
" geſt to your excellency, though I am under no fear of the experiment being made, that any thing
" which looks like bringing the Tories into power here, muſt cauſe the utmoſt uneaſineſs in this
" kingdom, by raiſing the ſpirits of the Papiſts of this country, and exaſperating the Whigs, who
" your lordſhip knows are vaſtly ſuperior amongſt gentlemen of eſtates here."

† " To an enquirer after the truth, hiſtory, ſince the year 1699, furniſhes very imperfect and
" often partial views of the affairs of Great Britain and Ireland. The latter has no profeſſed hiſ-
" torian of its own ſince that æra, and it is ſo ſlightingly mentioned in the hiſtories of the former
" kingdom, that it ſeems to be introduced rather to ſhew the accuracy of the accountant, than as
" an article to be read and examined. (*The Commercial Reſtraints of Ireland conſidered*, 1780,
" *p. 87, written by the Right Hon. Hely Hutchinſon, late Provoſt of Trinity College, Dublin.*) Pam-
" phlets (continues he) are often written to ſerve occaſional purpoſes, and with an intention to
" miſrepreſent, and *party writers are not worth any regard.* We muſt then endeavour to find
" ſome other guide, and look into the beſt materials for hiſtory, by conſidering the facts as recorded
" in the journals of parliament." The dearth of hiſtorical documents for the laſt century has driven the author to make reſearches into all the ſpeeches, that have been publiſhed upon the ſubject, to which thoſe hiſtorical facts have reference. In general ſuch ſpeeches muſt rank with the party writers *that are not worth any regard.* It is painful to be under the neceſſity of guarding the reader againſt the miſrepreſentions (one hopes not wilful, ſtill leſs malevolent,) of men of talent, information, and perſonal reſpectability. The Right Honorable John Foſter, the ſpeaker of the late Iriſh Houſe of Commons, in his ſpeech in the committee of the Roman Catholic bill, on the 27th of February, 1793, in his zeal for keeping the Catholics ſhut out of this conſtitutional right to the *elective franchize*, not only maintains the juſtice and equity of not admitting them to this participation of the conſtitution, but attempts to prove, that they had been excluded from it by law before the paſſing of the 1 George II. and ever ſince the Revolution. The right honorable gentleman ſays, " the preamble of the 2d of Ann ſhews clearly the intent of the legiſlature was to ex-
" clude them, and for preventing Papiſts having it in their power to breed diſſentions, by voting at
" elections of members of parliament, &c. Even the act of George the Second, which they ſay
" was the firſt that excluded them, ſays in its preamble,—and for the *better* preventing Papiſts from
" voting, &c—as if it were a known fact, that they were before excluded, &c." (p. 11 and 12.) The firſt preamble, upon which he grounds his argument was to the particular ſection and not to the ſtatute; and it is impoſſible to ſuppoſe that right honorable gentleman ſo ignorant of the general conſtruction of ſtatutes, as not to know that *odioſa ſunt reſtringenda*; that the evil and remedy are to be commenſurate: that the oath and abjuration were but a teſt of ſubmiſſion to the reigning families,

who aſſuming the title of patriots, now ſolemnly proteſted againſt any *foreign* aſcendancy over the native rights and intereſts of their country. It was not natural, that the body of the Iriſh people ſhould be forward in ſupporting ſuch *foreign* aſcendancy, whether *Engliſh* or *Proteſtant*. The Catholics having long been the unceaſing object of calumny and perſecution to both parties, as it ſerved their ſeveral views, were palled with apathy, and had hitherto found neither in Whig or Tory any principle of relief to their degraded and ſuffering condition. In point of fact they had ſuffered leſs from the family of Brunſwick than that of Stuart. Hence aroſe a dawn of hope that their miſeries were on the wain, and they came forward to addreſs their new ſovereign. This ſtep was not carried without a conſiderable diviſion of the Catholic body;* of which the primate ſo dexterouſly availed himſelf in the then pending elections, that on the 24th of Auguſt, 1727, he aſſured the lord lieutenant, *that the elections would generally go well.*†

Multifarious

families, and that none refuſed them but *Jacobites*, from whoſe attempts alone to breed diſſentions among Proteſtants the intent of the act was to provide: that if as Papiſts they were before diſabled to vote, it would have been nugatory to call upon them to give this teſt of their loyalty, which was not incompatible with their religion: that if it had been the intent of the legiſlature to exclude them from voting at elections, they would have required a ſubſcription to the declaration or the oath of ſupremacy: he muſt well have known that the reſolutions of one committee on a controverted election, was not even a precedent for another committee, much leſs the law of the land.

* On the 20th of July, 1727, the primate wrote to Lord Carteret: "I hear this day, that the "addreſs yeſterday preſented by ſome Roman Catholics, occaſions great heats and diviſions "among thoſe of that religion here." (1 vol. p. 188.)

† It long has been, and probably long will be a complaint, that the cauſe of the king and conſtitution are frequently identified with the corrupt meaſures of the king's ſervants. At this time the real intereſt of his majeſty, was the welfare and proſperity of Ireland; not the maintenance of an *Engliſh aſcendancy* there, which had in view to keep down the native influence of Ireland. "I "ſhall leave it to your excellency, what change you will think proper to make in the liſt of privy "councellors here. Your excellency knows as well as any body, who of the preſent liſt are ene"mies to England, and oppoſe the king's buſineſs on all occaſions. I ſhall ſubmit it to your "excellency, whether it may be proper for the ſtrengthening of the *Engliſh intereſt* here, to have "the preſent archbiſhop of Caſhell inſerted in the new liſt." The whole tenor of this prelate's correſpondence proves the ſame; and his editor aſſures us, that theſe letters will ever remain the moſt authentic hiſtory of Ireland, for the ſpace of time in which they were written; viz. between 1724 and 1742, during which his grace was thirteen times one of the lords juſtices. It is at length fitting to unmaſk our prejudices, and pay the juſt tribute to truth: we can no longer diſſemble, that the ſyſtem of maintaining a *foreign aſcendancy* in Ireland, was a ſyſtem in no ſhape conducive

Multifarious and extenſive were the grounds of national diſcontent at this time in Ireland. The nation laboured under grievances that reſtrained commerce, damped agriculture, and checked every incitement to induſtry. The public mind ſtill rankled at the attempt of government to father Wood's baſe copper upon them: the odium of that meaſure long ſurvived its failure: the wretchedneſs of the poor, (that infallible teſt of bad government) which the Duke of Grafton had in 1723 recommended to parliament to relieve, had been daily encreaſing: in the ſame year 1723 a petition was preſented from the woollen-drapers, weavers and clothiers of Dublin on behalf of themſelves and the other drapers, weavers and clothiers of that kingdom, praying relief in relation to the great decay of trade in the woollen manufacture,* ſince which time no relief had been afforded: frequent ſpeeches from the throne and reſolutions of the Houſe of Commons had noticed the encreaſing poverty of the nation by the accumulation of the national debt: and Lord Carteret in his ſpeech from the throne in 1727 virtually acknowleged the melancholy and diſaſtrous ſituation of the nation by recommending to the conſideration of the parliament ſuch laws as might be neceſſary for the encouragement of manufactures, the employment of the poor and the general good of the country.† Already that ſcarcity‡ began to be felt

to the proſperity and welfare of that kingdom. We cannot doubt of the exiſtence of ſuch a ſyſtem, when we find this prelate acknowledging his obligations to Lord Carteret *for the early care he took of the Engliſh in Ireland* (1 vol. p. 186), and giving him a ſolemn pledge of his paſt and future fidelity in this honourable ſervice. "I am ſenſible of your goodneſs in acquainting his preſent ma-"jeſty, that the ſupporting of me here will be for his intereſt, and I deſire the continuance of your "good offices with the king." (Ibid.) And "while the ſame meaſures are purſued as in the laſt "reign, we ſhall be all eaſy here: and it muſt be left to his majeſty to judge what perſons are moſt "proper to be employed in his ſervice." And "I muſt requeſt of your grace (i. e. Newcaſtle), "as I have of his lordſhip (i. e. Carteret), that you would both uſe your intereſt to have none but "Engliſhmen put into the great places here for the future." (1 vol. p. 23.)

* Their petition contains theſe words, "The woolen manufacture of this kingdom, which is con-"fined to our conſumption, has of late been ſo conſiderably leſſened, that ſeveral thouſand families "have been forced to beg alms and charity of good Chriſtians, and a collection lately made through-"out the whole city to relieve them from ſtarving." 3 *Journ. Commons, p.* 349.

† 3 Journ. Commons, p. 464.

‡ On the 7th of March 1727, Primate Boulter wrote to his Grace of Newcaſtle (p. 226). "Since "I came here in the year 1725, there was almoſt a famine among the poor: laſt year the dearneſs "of corn was ſuch, that thouſands of families quitted their habitations to ſeek bread elſewhere, and "many

felt, which in the years 1728 and 1729 nearly amounted to a famine.* Indicative of the national embarraſſments of Ireland at this period were the indeciſive reſolutions of the commons, and the inſtitution of a commiſſion under the great ſeal for receiving voluntary ſubſcriptions in order to eſtabliſh a national bank for throwing into circulation a quantity of paper, without money, trade or manufactures to ſupport it: and in the ſame ſeſſion of parliament, the further reſolutions of the ſame commoners and their addreſs to the throne, that ſuch an eſtabliſhment would be greatly prejudicial to his majeſty's ſervice and of moſt dangerous and pernicious conſequence to the welfare and proſperity of the nation.† Under the like impreſſion of remedileſs calamity did the commons reſolve, though they never acted up to their reſolution, that public granaries would greatly contribute to the encreaſing of tillage and providing againſt ſuch wants, as had frequently befallen the people of that kingdom, unleſs proper precautions ſhould be taken againſt ſo great a calamity.

Lord Carteret's adminiſtration laſted from 1725 to 1731, and ſome have extolled his leniency to the indigent Catholics during this period, in diſcountenancing the rigorous execution of the penal laws againſt them. In that exceſs of national calamity, he may have had the policy not publicly to aggravate their evils by religious perſecution. A real friend to Ireland could not have coaleſced with Primate Boulter in that ſyſtematic ſupport of the *Engliſh* intereſt; for that was a ſyſtem of dividing Ireland within itſelf.‡ Fearful of an effectual oppoſition to a meaſure of ſuch unjuſt ſeverity, though of the higheſt political import, not a ſyllable in the ſpeech from the

" many hundreds periſhed. This year the poor had conſumed their potatoes, which is their Winter " ſubſiſtence, near two months ſooner than ordinary, and are already through the dearneſs of corn " in that want, that in ſome places they begin to quit their habitations."

* In the ſpace of ſix months, ending on the 29th of September, 1729, it appears from the report of the Houſe of Commons, that the import of corn amounted to 274,000*l.* an enormous ſum when referred to the fiſcal powers of the kingdom at that time.

† 3 Com. Journ. p. 289.

‡ This is verified by the primate's words in his letter to the Duke of Newcaſtle on the 19th of January 1724: " I find by my own and others' enquiries, that the people of every religion, country, and " party here are alike ſet againſt Wood's halfpence, and that their agreement in this has had a very " unhappy influence on the ſtate of this nation by bringing on intimacies being Papiſts and Jacobites " and the Whigs, who before had no correſpondence with them: ſo that 'tis queſtioned whether (if " there were occaſion) juſtices of the peace could be found, who would be ſtrict in diſarming Papiſts."

throne could bear an alluſion to it: no heads of any bill tranſmitted imported any new penal law againſt the Catholics: on the contrary, the lord lieutenant's ſpeech recommended expreſsly the conſideration of ſuch laws as might be neceſſary to *be made* for the encouragement of manufactures and the employment of the poor; but *the enforcing the execution* of thoſe for preventing Popiſh prieſts and regulars from coming into the kingdom; from which the nation muſt evidently have been convinced, that no new penal law was intended to be paſſed in that ſeſſion againſt the great body of the Iriſh people: and the more eſpecially, as now for the firſt time the lord lieutenant ſpoke of "*the gracious inſtances of his majeſty's concern for "the happineſs of his people, and the good opinion he had always had of the "loyalty and affection of *his ſubjects of Ireland*;" without the invidious reſtriction of his majeſty's protection, grace and favor to his *Proteſtant ſubjects*.

The diviſion, which the Roman Catholics' addreſs occaſioned in that body, was by no means into the old party-diſtinction of Whig and Tory; it was formed upon entirely new principles ariſing out of the then peculiar circumſtances of their country.† A great part of that body began then to conſider themſelves Iriſh-*men* as well as Iriſh *Catholics*; though deprived of moſt of the civil rights, which their Proteſtant brethren enjoyed, they ſympathiſed with them in their efforts to preſerve the rights of Ireland, and in defiance of religious differences they now began to make *civil* liberty a common cauſe with their Proteſtant brethren. This novel coalition between *Proteſtants and Catholics* in ſupport and defence of the intereſt of Ireland, became formidably alarming to that party, whoſe ſole miſſion was to keep up an Engliſh intereſt in that kingdom. Government foreſaw the neceſſary progreſs of this native coalition againſt the Engliſh intereſt, and at one blow put an end to the political exiſtence of at leaſt four fifths of the nation by depriving them of the nobleſt birth right and invaluable privilege of the ſubject.‡ Thus without any annunciation of ſuch intention,

* 3 Journ. Com. p. 463.

† Of theſe principles, Primate Boulter appears to have been fearfully apprehenſive, when he ſaid, "There wants no accident here to furniſh a bottom of popularity, every one having it always "in his power to grow popular by ſetting up for the Iriſh in oppoſition to the *Engliſh* intereſt." (*Letter to the Duke of Newcaſtle*, 1 *vol. p.* 54.)

‡ Thus did Lord Chief Juſtice Holt uſually call the *elective franchiſe*. I have adhered to this proportion

tion, without any notice to any of the parties intereſted, without even a charge or accuſation of guilt, by the unexpected introduction of a clauſe into a bill, the title of which denounced no further ſeverity againſt the Roman Catholics, was a vital ſtab given to the conſtitutional rights of the bulk of the people of Ireland. *Sect. VII.* "And for the better preventing "Papiſts from voting in elections, be it further enacted by the authority "aforeſaid, that no Papiſt, though not convict, ſhall be entitled or admitted "to vote at the election of any member to ſerve in parliament as knight, "citizen, or burgeſs, or the election of any magiſtrate for any city or other "town corporate; any law ſtatute or uſage to the contrary notwithſtand-"ing." This truly ſweeping clauſe at once bruſhed off four fifths of the people of Ireland from any repreſentation in parliament: it was inſerted by way of amendment without notice, without debate, without council; thus did the commons ſign the death warrant of four fifths of their conſtituents, whoſe voices had given them their legiſlative exiſtence.*

The

proportion of Proteſtants and Catholics, becauſe Primate Boulter in this very year avowed to the Archbiſhop of Canterbury (1 vol. p. 210.) "*There are probably in this kingdom five Papiſts at leaſt* "*to one Proteſtant.*"

* In the debate upon the queſtion of readmitting the Catholics to the elective franchiſe in the Iriſh Houſe of Commons on the 4th of February, 1793, Mr. *Stanley*, in reply to an envenomed Phillippic of one of the two, who oppoſed the bill againſt the body and principles of the Catholics, in which he ſaid that they they had been prohibited to vote at a much earlier period by the act of Ann, which had annexed the oaths of allegiance and abjuration to the exerciſe of their *elective franchiſe*, obſerved, that this was an additional argument againſt the policy of the act of George II. for if thoſe oaths "were univerſally taken by Catholic voters during the reign of Queen Ann and "George I. to qualify them to exerciſe their franchiſe, as it is well known it was the fact, their "acquieſcence and taking theſe oaths was the ſtrongeſt teſt they could give of their attachment to "the ſtate, and ſhould have entitled them to the confidence of the nation: and therefore it is clear "they were not excluded from voting, nor was it intended they ſhould be by thoſe oaths, for it "was well known, that the Catholics *voted in the election of that very parliament of George II.* "*which afterwards diſfranchiſed them.*" The learned member, from the general dearth of hiſtorical documents, and probably from a deſigned ſuppreſſion of facts in this inſtance, was obliged to reſort to the traditionary reports of that act to elucidate the hiſtory of its paſſing. "It was ſaid that the Catho-"lics having by their intereſt voted Lord Dunkellin out of the county of Galway, returned his op-"ponent. Lord Dunkellin had influence enough with the miniſter of that day, to introduce that "clauſe depriving the Catholics of their franchiſe into the act of George II." He himſelf diſcredited the rumor, becauſe he ſaid that he had diſcovered, that there was no Lord Dunkellin of that day capable of being a candidate for the county of Galway. Unwritten reports of ſuch tranſactions

are

The two grand objects, which engroſſed the excluſive attentions of Primate Boulter, who might properly be termed the Engliſh miniſter in Ireland, were *doing good in the Church and ſupporting the Engliſh intereſt*, "which ſaid "his grace to the Archbiſhop of Canterbury" *labours under great diſadvantages in this country.** This is little to be wondered at, when it is conſidered that the bulk of the nation was not of the eſtabliſhed Church,† nor in the occaſion of participating of any of the patronage of the *Engliſh intereſt*: they were therefore eſtranged from any prepoſſeſſions in the favor of theſe two objects: their miſeries were alleviated by no ſubſtitution of favor or indulgence. The ſtagnation of trade and want of employment in the manufactures, in part occaſioned and in part aggravated the ſcarcity of the years 1728 and 1729. The firſt ſeſſion of the parliament under George II.

are not ſimply to be relied on; but when they are fairly canvaſſed in all their bearings upon facts, which are proved by undeniable documents, they often help mainly to the elucidation of the hiſtory of thoſe times. The intereſt of the Clanrickarde family has been always conſidered to carry the county of Galway, and if by the exertion of the Catholics, another perſon had been returned, it was very natural that Lord Clanrickarde and his ſon Lord Dunkellin who had been called up to the Houſe of Lords in 1710 ſhould have reſented it, and uſed their endeavours with the *miniſter of the day* (i. e. Primate Boulter) to puniſh and revenge themſelves of the Catholics, by whoſe influence in the late election the intereſt of that noble family had been defeated. They were the firſt Proteſtants of their family, and then ſupporters of the *Engliſh intereſt*: ſtrong reaſons for the Catholics not ſupporting their intereſt in the county election; ſtrong reaſons for the primate's cruſhing their and all the Catholics power to oppoſe the *Engliſh* intereſt in future. However inaccurate the report might have been in confounding the perſon of Lord Dunkellin with the intereſt of Portumna, the circumſtances which are notorious all combine to prove the remaining part of the report to be ſtrictly true: namely, that the disfranchiſing clauſe was introduced by way of amendment, through miniſterial influence for a particular purpoſe and unavowed ends. On one and the ſame day (9th of February, 1727), Dr. Trotter reported from the committee of the whole houſe that they had gone through and agreed to the bill *with ſome amendments* (viz. the disfranchiſing clauſe) which were alſo read and agreed to, and Dr. Trotter was directed to attend the lord lieutenant with the ſaid heads of the bill to be tranſmitted into Great Britain in due form. 3 *Journ. Com. p.* 522.

* 1 Vol. p. 175. "But (ſaid he) the ſervices I can do will be much leſſened, if I am not ſupported in my ſtation."

† 1 Vol. p. 205. The primate was indefatigable in his efforts to mend the ſtate of the Church, "by getting more glebes, churches, and chappels of eaſe, that we may in time have churches and "reſident miniſters to anſwer our wants, for at preſent many of our people go off to the Papiſts or "Preſbyterians for want of churches to repair to." And p. 223, "For want of which, inſtead of "getting ground of the Papiſts, we muſt loſe to them, as in fact we do in many places, the deſcen-"dants of Cromwell's officers and ſoldiers here being gone off to Popery."

which

which ended in May, 1728, went over without oppoſition: inſomuch that the lord lieutenant, in cloſing the ſeſſion took an opportunity of obſerving,* that all the public bills tranſmitted from thence had been returned under the great ſeal of Great Britain; which diſtinguiſhing inſtance of his majeſty's regard for the parliament of Ireland, was one of the happy effects of that remarkable application and unanimity, which had appeared in all their proceedings.

It is evident, that at this period Ireland was entirely ruled by the principles of an *Engliſh intereſt*: Primate Boulter who directed and ſupported that intereſt, admits that the Catholics were then in the proportion of five to one Proteſtant: but they were generally poor and indigent, conſequently the more ſenſible to the national wants and calamities. So far then was this great maſs of the Iriſh people from being ſoothed under the general ſuffering, that they were ſurpriſed into the forfeiture of their *elective franchiſe*, and an act was made for †preventing Papiſts practiſing as ſolicitors; which was the only branch of the law, they were then permitted to practice. In order to draw the public mind from the conſideration of this new penal rigor impoſed upon the Catholics in this hour of national calamity, the lord lieutenant ſet forth in the moſt glowing terms of congratulatory ſolace, " ‡ his majeſty's gracious condeſcenſion in departing from his own right " by leſſening his hereditary revenue for the eaſe of his ſubjects and encou-

* 3 Journ. Com. p. 570.

† Whilſt this bill was pending, ſome Catholics of Dublin and Corke had ſet on foot a ſubſcription to defray the expences of raiſing an oppoſition to it: when one Henneſy, an interdicted prieſt, gave information, that this collection was made for the purpoſe of bringing in Popery and the Pretender. Upon which the papers of theſe gentlemen were ſeized and ſubmitted to the inſpection of the Houſe of Commons: and it appears from their printed report, that the whole ſum collected had not exceeded 5*l.*: the committee however reſolved, that it appeared to them, that under color of oppoſing heads of bills, great ſums of money had been collected and raiſed and a fund eſtabliſhed by the Popiſh inhabitants of the kingdom, through the influence of their clergy, highly detrimental to the *Proteſtant intereſt*; and of imminent danger to the preſent happy eſtabliſhment: and therefore reſolved further, that an humble addreſs ſhould be preſented to the lord lieutenant to iſſue his proclamation to all magiſtrates to put the laws againſt Popery into execution. *Cur. St. of the Catholic of Ireland, p. 257.* This circumſtance goes to prove, that the clauſe for diſfranchiſing the whole body of Catholics was not in the heads of the bill, or it is more than probable, that they would have inſtituted a collection to oppoſe a bill, that affected every individual of the body in ſo important a point, rather than a bill, which could not have affected threeſcore of that deſcription.

‡ 3 Journ. Com. p. 570.

" ragement

" ragement of trade, which ſhewed his majeſty's concern for the welfare " and happineſs of the kingdom, as well as many other ſignal marks of his " majeſty's goodneſs, that muſt evince them, that his majeſty had nothing " more at heart, than the intereſt and proſperity of his people." He then enumerated or alluded to the moſt popular acts paſſed in the ſeſſion, as the foundation laid for the encreaſe of tillage ſo neceſſary in the country, the new advantages given for the improvement of the linen manufactory, the care taken for regulating the aſſize of bread, the eſtabliſhing a fund for the work-houſe, and for employing the poor in the populous city of Dublin, the relief given to unfortunate debtors, the regulations made for future elections *(by aboliſhing the right of voting in four fifths of the nation)*, the reducing the parliamentary privileges of the members for the eaſe and benefit of their fellow ſubjects, and thoſe other excellent laws then paſſed for erecting churches where they were moſt wanted, for the maintenance of the clergy, and for preſerving and ſtrengthening the *Proteſtant intereſt* of that kingdom.

In the courſe of this ſeſſion two inſtances occurred which ſtrongly prove how far the *Engliſh* and *Proteſtant* intereſts were identified* in the words and actions of the Iriſh government.

It happened that a Mr. Allan Brodrick, ſon to the late chancellor of Ireland (who held the ſeals from the 1ſt of October 1714, to the 1ſt of May, 1725), had been made one of the commiſſioners of the cuſtoms in England:

* Primate Boulter in giving an account of the ſeſſion to the Duke of Newcaſtle, three days after it cloſed (1 vol. p. 242), ſays, " As my lord lieutenant did his part towards procuring a quiet ſeſſion of " parliament, ſo I muſt do that juſtice to the reſt of the Engliſh in power here to ſay, that we were not " in the leaſt wanting in our ſeveral ſtations to promote the ſame good." And before the ſeſſion was over, in giving an account of the oppoſition to the privilege bill, the primate ſays: " the greatneſs of the " oppoſition was owing to the management of the Biſhop of Elphin (Theophilus Bolton promoted " to the ſee of Caſhell in 1729) who put himſelf at the head of thoſe lords and others, who con- " ſtantly oppoſe the government buſineſs here, and by miſrepreſentations drew in ſome other lords " of no ill intention to engage their word and honor to each other to throw out the bill. His view " no doubt was to make himſelf conſiderable enough by being at the head of this ſtrength *to be* " *bought off*. One part of the puſh he now made was to get all the lay lords here to confederate " againſt the biſhops, *who muſt always be depended upon for doing the king's buſineſs*. But as " he has miſcarried in his attempt, and has offended all ſides, ſo as to be in no danger of appearing " again at the head of ſo many lords as he did now, I hope his behaviour will be remembered when " he or his friends puſh for the archbiſhopwrick of Dublin for him." (*Letter to Lord Townſend*, p. 240.)

and

and although the Brodericks had never been charged with any affection to Popery or to the Pretender (the chancellor had been appointed to ſucceed Sir Conſtantine Phipps, as being of oppoſite principles), though well wiſhers to Ireland, yet even this remote mark of royal favor gave ſo much offence to the primate, that he complained in ſeveral letters on the ſame day both to the lord lieutenant and the Duke of Newcaſtle, "that *any thing* which "looked as if that family (*the Brodricks*) was in favor in England might "give them ſpirit and engage others to join with them in perplexing "matters the approaching ſeſſion of parliament." And, "we are appre-"henſive it may give too much ſpirit to the Brodericks here, and be made "uſe of by them to engage others to obſtruct the king's buſineſs in parlia-"ment."

The family of Clanrickarde had conformed to the eſtabliſhed religion in the days of Queen Ann: and the head of that noble family, in dedicating his anceſtors' memoirs and letters to King George the IId. in 1757, did not ſcruple to boaſt of the cauſe, for which his family had ſuffered. He had been educated at Eton and Oxford, and was called to the upper houſe by the title of Lord Dunkellin during his father's life, on the 3d of Auguſt, 1711, and upon his father's death ſat in the Houſe of Peers, as the tenth Earl of Clanrickarde in the parliament of 1725. He had made an application to the king to be reſtored to all that had been forfeited by his anceſtors, who had at all times been conſpicuous for their loyalty and attachment to their ſovereign, and the meaſure had been graciouſly aſſented to by his majeſty. But the reverſion of ſo much landed influence into the hands of an Iriſh family, though Proteſtant, was conſidered by the *Engliſh intereſt* in Ireland to contravene their ſyſtem, which never could be long ſupported by the native intereſt of that country. A moſt violent oppoſition was therefore raiſed againſt the meaſure in the commons, which for the preſent completely defeated all the influence of that noble family with the king, and diverted his majeſty from his benevolent diſpoſition in their regard. They artfully avoided wounding the feelings of the noble lord, by pointing at his particular caſe, and formed a reſolution upon a broader principle, "that the reverſal of outlawries of perſons attainted of treaſon for the "rebellions of 1641 or 1688 is greatly prejudicial to the Proteſtant intereſt "in this kingdom, and dangerous to his majeſty's perſon and the ſucceſſion "eſtabliſhed in his royal houſe." They accordingly voted an addreſs to

his majeſty, ſetting forth the dangerous conſequences of ſuch miſplaced indulgence, which had the effect of withholding for the preſent his majeſty's benevolence and humanity.*

Although

* We cannot entertain a very ſublime idea of the purity of the loyalty of thoſe perſons, who tell their ſovereign that nothing can ſo effectually make them ready to ſupport and defend his right and title to the crown, as the enjoyment of the forfeited eſtates of the Papiſts. The addreſs appears to import more of menace and intimidation, than the effuſion of genuine loyalty and attachment to the eſtabliſhment: and the anſwer of his majeſty clearly beſpeaks that his compliance with the prayer of the addreſs was the effect rather of compulſion, than inclination. "We your majeſty's moſt "dutiful and loyal ſubjects, the Commons of Ireland, in parliament aſſembled, think it an indiſpen- "ſible duty, in this our firſt ſeſſion held ſince your happy acceſſion to the throne, moſt humbly to "repreſent to your majeſty, that the reverſal of outlawries of perſons attainted for the Rebellions in "1641 and 1688, may be highly prejudicial, and of dangerous conſequence to your majeſty's ſacred "perſon and government, and the ſucceſſion eſtabliſhed in your royal houſe.

"We are truly ſenſible of the many bleſſings we enjoy under your moſt auſpicious reign, and are "highly pleaſed with the agreeable proſpect that we have, that the benefits of the Proteſtant ſucceſ- "ſion will be continued to us and our poſterity by your majeſty and your royal iſſue; and we aſſure "your majeſty that we ſhall be always ready to ſupport and defend your undoubted right and title "to the crown of theſe realms with our lives and fortunes, which nothing can enable us ſo effectually "to do, as the enjoyment of thoſe eſtates which have been forfeitures of the rebellious Iriſh Papiſts, "and are now in the poſſeſſion of your Proteſtant ſubjects of this kingdom.

"We therefore beg leave to lay ourſelves at your majeſty's feet, and to implore your royal favor "and protection againſt any attempts the Iriſh Papiſts or their deſcendants may make to reverſe the "outlawries of perſons attainted for thoſe rebellions, having reaſon to apprehend, if they ſhould "ſucceed, that they will not only endeavour to diſturb your faithful ſubjects in the poſſeſſion of "thoſe forfeited eſtates they have purchaſed, and now enjoy under the ſanction of ſeveral acts of "parliament, but do all in their power to ſubvert our happy conſtitution in church and ſtate.

"We are fully aſſured that your majeſty hath nothing more at heart than the welfare and proſ- "perity of your people, and we rely entirely on your royal wiſdom and goodneſs, that you will be "graciouſly pleaſed to diſcourage all applications or attempts, that ſhall be made in favor of ſuch "traitors and their deſcendants, ſo dangerous to your majeſty and the Proteſtant intereſt of this "kingdom."

Mr. Secretary Clutterbuck informed the houſe that he was commanded by his excellency the lord lieutenant to acquaint the houſe that his majeſty had been pleaſed to return a moſt gracious anſwer to the addreſs of this houſe touching the reverſal of outlawries of perſons attainted of treaſon for the rebellions of 1641 and 1688, which he read in his place, and after delivered at the table, and the ſame was read again by Mr. ſpeaker, and is as followeth:

"GEORGE R.

"His majeſty has received with great pleaſure and ſatisfaction the "aſſurances, which the Houſe of Commons gave him in their addreſs, of their zeal and fidelity to

"his

Although Lord Carteret continued lord lieutenant till the year 1731, yet was Ireland properly governed during that whole time by Primate Boulter,* to whom the ſupport and extenſion of the *Engliſh intereſt* in Ireland was ſolely committed. A truſt he effectually accompliſhed, by paralyzing the ſmall vital relics, that had been left more through ſhame than compaſſion to the great body of the Iriſh people. From that quarter indeed he was thwarted in none of his projects. In parliament, †the chief oppoſition to any of his bills, was to the *privilege bill* in the Houſe of Lords, ſeveral of whom that were embaraſſed in their circumſtances might naturally be ſuppoſed to be againſt it: but his grace attributed the greatneſs of the oppoſition, as was before obſerved, to the management of the Biſhop of Elphin. Out of parliament, the ſoreneſs at the national calamity became moſt alarming from the Proteſtants; notwithſtanding the Roman Catholics had been additionally aggrieved by new penal laws, which gave the death blow to their civil exiſtence. Within ſix months from the delivery of that ſpeech from the throne, in which Lord Carteret had attempted to ‡delude the people into imaginary bliſs under the moſt pitiable ſufferings of univerſal calamity, diſtreſs, and oppreſſion, Primate Boulter in the private, and therefore the more ſincere communications with the Duke of Newcaſtle on the 23d of November 1728, has left us a juſt portrait of one part of that unfortunate kingdom; from which the greater wretchedneſs of the whole muſt neceſſarily be deduced. "I am very ſorry I am obliged to give your grace

" his perſon and government; and they may always depend upon his majeſty's favor and protection, " and on his care and concern for the ſupport of the Proteſtant intereſt of that his kingdom; and " that accordingly his majeſty will effectually diſcourage all applications and attempts that ſhall be " made for the reverſal of outlawries of perſons attainted for the rebellion in 1641 and 1688, in any " caſe that may affect the intereſt or property of any of his Proteſtant ſubjects there."

* So then his grace expreſſes himſelf to Lord Townſend on the 9th of May, 1728, (p. 239) " On Monday our ſeſſion ended, which has gone through with more quiet and unanimity than uſual: " and in which more uſeful bills have paſſed, than for many ſeſſions together before. And I hope " both gentry and clergy will uſe thoſe powers now given them gradually to plant religion and civi- " lity in this country." The Editor of his grace's letters aſſures us he was the framer of moſt, if not all of theſe bills.

† Ibidem.

‡ In this ſpeech (3 *Journ. Com. p.* 570.) he repreſents the people as *truly ſenſible of the happineſs they enjoy under his majeſty's moſt gracious government,* and that nothing could be more acceptable to him, than to find by the addreſſes of both houſes, that *his endeavours for the public ſervice had been to their ſatisfaction.*

" ſo melancholy an account of the ſtate of this kingdom, as I ſhall by this " letter, but I thought it my duty to let his majeſty know our preſent con- " dition in the North.* For we have had three bad harveſts together there, " which has made oatmeal, which is their great ſubſiſtance, much dearer " than ordinary." His grace then complains of American agents ſeducing the people, with proſpects of happier eſtabliſhments, acroſs the Atlantic; and adds, " they have been better able to ſeduce people by reaſon of the neceſ- " ſities of the poor of late. The people that go from hence make great " complaints of the oppreſſions they ſuffer here, not from the government, " but from their fellow ſubjects of one kind or another, as well as of the " dearneſs of proviſions, and ſay theſe oppreſſions are one reaſon of their " going." The primate then aſſures the duke, that 3100 had in the pre- ceding ſummer been ſhipped off from thence for the Weſt-Indies, and he draws a lamentable picture of the new miſeries they voluntarily undertake to encounter rather than continue under the oppreſſion they ſuffered at home. One would naturally ſuppoſe, that the chief of theſe unfortunate emigrants had been from that body of the people, who not only felt the common hand of oppreſſion upon them, but who were groaning under an unprecedented code of ſeverity, from which the Proteſtants were wholly exempted. Yet continues his grace, " the whole north is in a ferment at " preſent (i. e. the 23d of November 1728), and people every day engaging " one another to go the next year to the Weſt-Indies. The humour has " ſpread like a contagious diſtemper, and the people will hardly hear any " body, that tries to cure them of their madneſs. *The worſt is, that it affects* " *only Proteſtants, and reigns chiefly in the North*, which is the ſeat of our

* Why the archbiſhop here confines his duty to the North, one cannot fairly conjecture. When it was well known, that it was the moſt induſtrious, manufacturing, and opulent part of the king- dom, which circumſtances alone placed it in their power to reſiſt or avoid diſtreſs and oppreſſion by means, which the other more wretched and empoveriſhed parts of the kingdom were unable to command. For the ſake of humanity I am loath to draw the concluſion, which an unbiaſſed ſpec- tator of this ſtate of Ireland cannot ſhut out from his mind: that it was the ill-fated ſyſtem of govern- ment at that time, to keep up the *Engliſh intereſt* in the country by the extreme wretchedneſs and debaſement of the natives. Though I reluctantly view theſe inhuman principles heretofore acted upon in Ireland, I ſympathiſe with that part of the Britiſh empire, in the joyful conviction, that its incorporate union with Great Britain has eternally cloſed that infelicity of Ireland, and enſured her againſt the rueful conſequences of ſupporting *any factitious aſcendancy* over the people of Ireland.

" linen.

" linen manufacture. This unſettled ſtate puts almoſt a ſtop to trade, and " the more ſo, as ſeveral, who were in good credit before have taken up " parcels of goods on truſt and diſpoſed of them, and are gone off with the " money, ſo that there is no trade here but for ready money."

It is lamentable to obſerve the Primate labouring to trace theſe diſcontents even in the Proteſtant Iriſh from any other than the real cauſe. " We have " had under our conſideration how to put ſome ſtop to this growing evil: we " think by ſome old laws we can hinder money being carried abroad, and " ſtop all but merchants that have not a licenſe from going out of the king- " dom. By this poſt we have ſent my lord lieutenant the repreſentation of " the gentlemen of the North, and the opinion of our lawyers what can be " done by law to hinder people going abroad: but theſe are matters we " ſhall do nothing * in without directions from his majeſty. But whatever " can be done by law, I fear it may be dangerous forcibly to hinder a num- " ber of needy people from quitting us." As the Primate's accounts of the temper and diſpoſition of the people did not ſupport that general ſenſe of their happineſs, which was ſo fulſomely blazoned forth in the ſpeech from the throne, it behoves us to remark, that in the ſpring of the year 1729 his grace informed the duke of Newcaſtle†, that *they were in a very bad way there:* that the diſtreſſes of the North continued: that ſubſcriptions had been ſet on foot in Dublin to purchaſe corn from Munſter, where it was more plenti- ful and cheaper, and ſell it at reduced prices in the North: that there had been tumults at Limerick, Cork, Waterford, Clonmel and other places to prevent the corn from going to the North: that thoſe at Limerick and Cork had been the worſt, where they had broken open warehouſes and cellars, and ſet what price they pleaſed on proviſions: but that he had given the neceſſary orders to ſuppreſs theſe riots. He admits, that the buying up of the corn in Munſter had greatly raiſed the markets there: but that they were ſtill a third cheaper than in the North. His grace then makes an obſervation, which

* It has unfortunately, for Ireland in particular, been the baneful practice of ſome ſervants of the crown to forward ſyſtems of unſound or corrupt policy to ſuch a height, that they have been unable to check the evil conſequences of their own conduct. The reſponſibility is then ſhifted from their own ſhoulders as in this caſe, upon his majeſty, who has probably been adverſe or not privy to the real cauſe of the exiſting evil. The king's perſonal interference in any degree whatever can not by our conſtitution cover or counteract the reſponſibility of his miniſters.

† 1 Vol. p. 287.

always

always has and ever will be made in all cafes of riot of this nature. "There "is one reflection thefe poor wretches have not made, that by their riots the "country are deterred from bringing them in provifions, which will make "things dearer in thofe places, than the exportation they are fo angry at." Government generally may fecure the mob from forenefs and irritation; it never can give them reflection under thofe impreffions. Boulter had given orders to the feveral magiftrates and the judges of affize to have the rioters profecuted and feverely punifhed in the South. In the North, the humour of going to America ftill continued, and the fcarcity of provifions certainly made many quit them: there were then feven fhips lying at Belfaft, that were carrying off about 1000 paffengers thither: and if, faid his grace, we knew how to ftop them, as moft of them could neither get victuals or work at home, it would be cruel to do it. The diffenting miniflers at this time prefented a memorial of the grievances their brethren had affigned, as the caufes in their apprehenfions of the great defertion in the North, which were chiefly the oppreffion of the eccleiaftical courts about tythes, the whole of which his grace denied or juftified in a fpecial letter to the Bifhop of London.* Another matter of complaint was of the facramental teft; in relation to which his grace told them: the laws were the fame in England. The other grievances they mentioned were the raifing of the rents unreafonably, the oppreffion of the juftices of the peace, fenechals and other offices in the country. We learn alfo, that the Primate was fenfible of more difcontent from another caufe, which has not hitherto been touched upon. "† I very much fear, "(faid his grace on the 10th of June, 1729) that notwithftanding all pre-"cautions, we are in danger of having a troublefome feffion, *as the debts of* "*the nation are very much encreafed within a few years.*"

Nothing can convey a more adequate idea of the financial ftate of the nation, than to confider the progrefs of the national debt, and trace the effects, which it gradually produced on the nation.‡ The poverty of Ireland appeared in the year 1716 by the unanimous addrefs of the Houfe of Commons to George I. This addrefs was to congratulate his majefty on his fuccefs in extinguifhing the rebellion; an occafion moft joyful to them, and on which no difagreeable circumftances would have been ftated, had not

* Vide the letter in the Appendix, No. LVI.

† 1 Vol. p. 313.

‡ Com. Reftr. p. 38.

truth

truth and the neceſſities of their country extorted it from them. A ſmall debt of 16,106l. 11s. 0½d.* due at Michaelmas 1715, was by their exertions to ſtrengthen the hands of government in that year, increaſed at Midſummer 1717, to a ſum of 91,537l. 17s. 1½d. which was conſidered as ſuch an augmentation of the national debt, that the lord lieutenant, the Duke of Bolton, thought it neceſſary to take notice in his ſpeech from the throne, that the debt was conſiderably augmented, and to declare at the ſame time, that his majeſty had ordered reductions in the military, and had thought proper to leſſen the civil liſt.

There cannot be a ſtronger proof of the want of reſources in any country, than that a debt of ſo ſmall an amount ſhould alarm the perſons entruſted with the government of it. That thoſe apprehenſions were well founded, will appear from the repeated diſtreſſes of Ireland, from time to time, for many years afterwards. In 1721, the ſpeech from the throne, and the addreſſes to the king and to the lord lieutenant, ſtate in the ſtrongeſt terms, the great decay of her trade, and the very low and impoveriſhed ſtate, to which ſhe was reduced; that though the debt of the nation were no more than 66,318l. 8s. 3½d. and were in fact leſs than in the laſt ſeſſion, yet the commons thought it neceſſary to preſent an addreſs to the king, to give ſuch directions as he, in his great goodneſs ſhould think proper, to prevent the increaſe of the debt of the nation.

The debt of the nation in the enſuing ſeſſion of 1725 was nearly doubled. In the ſpeeches from the throne in 1727, Lord Carteret takes notice of our ſucceſs in the linen trade, and yet obſerves in 1729, that the revenue had fallen ſhort, and that thereby a conſiderable arrear was due to the eſtabliſhment. In the year 1731, there was a great deficiency in the public revenue, and the national debt had conſiderably increaſed. The exhauſted kingdom lay under great difficulties by the decay of trade, the ſcarcity of money and the univerſal poverty of the country, which the ſpeaker repreſented in very affecting terms, in offering the money bills for the royal aſſent. For above forty years, after making ſeveral reſtrictive laws upon the trade of Ireland, ſhe was always poor and often in great want, diſtreſs, and miſery; though the linen manufactures had made great progreſs during that time. In the war which terminated in the treaty of Aix la Chappelle, ſhe was not

* Com. Reſtr. p. 38.

able

able to give any aſſiſtance. The Duke of Devonſhire, in the year 1741, takes notice from the throne, that during a war for the protection of the trade of all his majeſty's dominions, there had been no increaſe of the charge of the eſtabliſhment; and in the year 1745 the country was ſo little able to bear expence, that Lord Cheſterfield diſcouraged and prevented any augmentation of the army, though much deſired by many gentlemen of the Houſe of Commons, from a ſenſe of the great danger that then impended. An influx of money after the peace, and the further ſucceſs of the linen trade, increaſed the national wealth, and enabled Ireland to reduce by degrees, and afterwards to diſcharge the national debt. This was not effected until the 1ſt of March, 1754. This debt was occaſioned principally by the expences incurred by the rebellion in Great Britain in the year 1715: an unlimited vote of credit was then given. From the lowneſs of the revenue, and the want of reſources, not from any farther exertions on the part of the kingdom in point of expence, the debt of 16,106l. 11s. 0½d. due in 1715, was increaſed at Lady-day 1733, to 371,312l. 13s. 2½d. That government and the Houſe of Commons ſhould, for ſuch a length of time, have conſidered the reduction and diſcharge of this debt as an object of ſo great importance, and that near forty years ſhould have paſſed, before the conſtant attention and ſtricteſt œconomy of both could have accompliſhed that purpoſe, is a very ſtrong proof of the weakneſs and poverty of Ireland during that period.

Lord Carteret was ſucceeded in the lieutenancy by the Duke of Dorſet: a man of amiable private character: his government however was too cloſely managed by the primate, not to have created enmity in Ireland on account of his zealous and ſyſtematic ſupport of the *Engliſh intereſt* in contravention to the native intereſt of Ireland. Under this ſyſtem of government the patriot party acquired ſo much ſtrength, as to command a majority in the commons on a moſt important queſtion. During the late adminiſtration the court party had moved in the commons, that the fund, which had been provided for the payment of the principal and intereſt, ſhould be granted to his majeſty, his heirs, and ſucceſſors for ever; redeemable by parliament. The patriots inſiſted ſucceſsfully, that it was unconſtitutional and inconſiſtent with the public ſafety to grant it for a longer term, than from ſeſſion to ſeſſion. An attempt was afterwards made to veſt it in the crown by continuing the ſupplies for twenty-one years. When the affair came to be agitated,

agitated, the ſtrength of the miniſterialiſts or court party, and the patriots or country party, was ſo nearly equal, that the former loſt the queſtion by a ſingle vote.*

The Duke of Dorſet, who was naturally humane, and very ſenſible of the extreme hardſhips, which the Catholics of Ireland then ſuffered from the exiſting laws, relaxed ſo far from the uſual ſtile of addreſſing the parliament on this ſubject, that he no longer recommended it from the throne to provide for further ſeverities upon the Catholics; but, as if the crown ſatiated with rigor, benignly wiſhed to put a ſtop to this unceaſing ſyſtem of galling its faithful ſubjects, though ſtill leaving them to the mercileſs diſpoſition of thoſe, whoſe aſcendancy depended upon their depreſſion, told them† that he ſhould leave it to their conſideration, whether any further laws might be neceſſary to prevent the growth of Popery, and to ſecure them againſt all dangers from the great number of Papiſts in that kingdom. The commons in addreſſing his majeſty did no more on this occaſion, than to keep alive the general alarm

* This patriotic queſtion was carried by the voice of Colonel Tottenham, member for New Roſs, who had ridden poſt to town to be preſent at the debate, and arrived immediately before the houſe divided. The great ſupporter of the patriots at this time in Ireland, was Mr. Henry Boyle. Mr. Conolly the ſpeaker of the Houſe of Commons died in 1730: he had very unexpectedly riſen to this exalted ſtation: and at firſt was under a ſort of neceſſity to temporize with the men in power, to whoſe influence he owed his riſe: and he frequently ſo far complimented his patrons, as to concur in things he did not approve of, in order to keep up his intereſt with the court: however when once the patriot intereſt, to which he naturally inclined, had been eſtabliſhed in parliament on a firm and reſpectable footing, he added to it his ſupport, and ever after acted up to it even in direct oppoſition to the court or Engliſh intereſt. On Mr. Conolly's death, the patriots generally looked up to Mr. Boyle as the perſon moſt worthy of filling this important office: he in the ſincere fervor of his primitive patriotiſm, regarding preferment only as a more efficient mean of ſerving his country, reminding the houſe of Mr. Conolly's frequent declarations, that Sir Ralph Gore was a proper perſon to ſucceed him in the chair, propoſed Sir Ralph Gore, whoſe perſonal merits eminently qualified him for that ſtation; and he was elected ſpeaker: but he did not fill the chair two years. Upon his death in 1732, Mr. Boyle was elected to the honorable ſituation, which he filled with dignity and uprightneſs for many years. Sir Robert Walpole was ſo convinced of the powerful intereſt Mr. Boyle commanded in the Iriſh Houſe of Commons, that he had previouſly to his election to the chair, declared, that he was a man of as much penetration as intereſt, and that whatever ſcheme he was adverſe to, it was no eaſy matter to carry in the Houſe of Commons of Ireland: and although that miniſter ever looked upon Mr. Boyle with an envious eye, yet he generally ſpoke of him in his facetious humour as *the King of the Iriſh Commons.*

† 4 Journ. Com. p. 9.

which the number of Papiſts muſt at all times give to his loyal Proteſtant ſubjects, and enſuring to his majeſty their beſt endeavours to prevent all dangers, which might ariſe from the Papiſts to the government or peace of the kingdom. At the opening of the parliament in 1733, his Grace of Dorſet again relapſed into the ancient ſtyle, by calling upon the parliament of Ireland to ſecure a * *firm union amongst all Proteſtants, who have one common intereſt and the ſame common enemy.* This however appears to have been preparatory to a meaſure, which had met with the conſent of the Britiſh cabinet, though it had not been ſo ſtrongly recommended to the Iriſh government, as to enſure the cordial co-operation of the ſupporters of the *Engliſh intereſt* in carrying it. It appears alſo, that the patriots were not then diſpoſed to that meaſure of toleration, in favor of the Proteſtant Diſſenters, which the Duke of Dorſet had it in his inſtructions to propoſe: and which from the deciſive oppoſition, that was prepared againſt the meaſure, the government thought proper to drop. It may however be ſtrongly ſurmiſed, that Primate Boulter's diſinclination to the repeal of the teſt in favor of the Diſſenters may have magnified the oppoſition to it in his own eyes, and exaggerated it to the Britiſh miniſter, in order to enſure the dropping of the meaſure in the firſt inſtance or its failure in the laſt.† The honorable teſtimony

* 4 Journ. Com. p. 70.

† In order that the candid reader may judge of the archbiſhop's earneſtneſs to ſecond theſe inſtructions from England, I lay before him his grace's account of the tranſaction to the Duke of Newcaſtle.

" My Lord, *Dublin, Dec.* 18, 1733.

" AS an affair of great conſequence is juſt over with us, I mean the " puſh for repealing the teſt in favor of the Diſſenters, I thought it my duty to acquaint your grace " how that affair ſtands.

" When my lord lieutenant firſt came hither this time, he let the Diſſenters and others know, " that he had inſtructions, if it could be done, to get the teſt repealed, and he has ſince ſpoke to all " any ways dependant on the government as well as to others, whom he could hope to influence, to " diſpoſe them to concur with the deſign, and ſo have others done that have the honor to be in his " majeſty's ſervice. But it was unanimouſly agreed, that it was not proper to bring that affair into " either houſe of parliament till the ſupply was ſecured. However as the deſign could not be kept " ſecret, and as the Diſſenters ſent up agents from the north, to ſolicit the affair among the mem- " bers of parliament, it ſoon occaſioned a great ferment both in the two houſes and out of them, " and brought a greater number of members to town than is uſual. There came likewiſe many of " the clergy from the ſeveral parts of the kingdom to oppoſe the deſign, and a pamphlet war was car-

" ried

teſtimony which the Duke of Dorſet rendered in the next year, when he was about to quit the government of Ireland, to the peaceable and ſteady con-

" ried on for and againſt repealing the teſt, in which thoſe who wrote for it ſhewed the greateſt " temper. And thus the perſons who came to town to oppoſe it, by degrees heated one another, " and viſibly gained ground, and the members of the Houſe of Commons were by adjourned calls " of the houſe kept in town.

" There were daily reports ſpread, that the bill would be brought in ſuch or ſuch a day; and ſome " in the oppoſition gave out, they would move for it, that the point might be decided one way or " another: till at length after much impatience ſhewn on the occaſion, on this day ſe'nnight a very " unuſual, and I think unparliamentary, motion was made, that after the next Friday, the houſe " would neither receive bills nor heads of bills for repealing any parts of the acts to prevent the " growth of Popery, in one of which the ſacramental oath is enacted. There was ſome oppoſition " made to the ſhortneſs of the time, and the next Monday moved for, but the warmth of the houſe, " which was a very full one, againſt any further delay, and indeed againſt any repeal of the teſt, " appeared ſo great and ſo general, that it was thought moſt prudent not to divide about that reſolu- " tion. And upon conſidering what then appeared to be the ſenſe of much the greater part of the " houſe, and what was found to be the diſpoſition of the members by talking with them, it was " concluded at a meeting at the caſtle on Wedneſday morning, and another on Thurſday morning, " where ſome of the agents for the Diſſenters were preſent, to be moſt for the credit of the go- " vernment and peace of the kingdom, not to puſh for a thing which plainly appeared impracti- " cable: and it was thought a very dangerous ſtep to unite a majority of the houſe in oppoſition " to the intentions of the government, ſince it was not ſo certain when ſuch an union might be " diſſolved. And at a meeting of ſeveral members of the Houſe of Commons, who were diſpoſed " to repeal the teſt, it was agreed, that in the preſent ſtate of affairs, it would be wrong to puſh " for a thing that would certainly miſcarry. Whilſt this affair has been depending, there have " been great heats in the Houſe of Commons, and a more than uſual obſtruction of public buſineſs, " and the Houſe of Lords has had their ſhare in their coming to ſome reſolutions though not on " this ſubject, which would ſcarce have been carried or moved at another time. And I am fully " of opinion, that though the repeal had paſſed in the commons, it would have miſcarried among " the lords: but I hope now this uneaſineſs and handle of diſcontent is over, things will gradually " cool and return to their former courſe. I find ſome of the Diſſenters now ſay, the thing ought " to have been tried ſooner in the ſeſſion, but as I mentioned before, it was the opinion of his " majeſty's ſervants, that the ſupplies ought to be ſecured before any danger was run of raiſing " heats in the houſe: and beſides in the method of our parliament, no bill can be carried by ſur- " prize, becauſe though the heads of a bill may be carried on a ſudden, yet there is time for a party " to be gathered againſt it, by that time a bill can paſs the council here and be returned from " England, when it is again to paſs through both houſes for their approbation before what has hap- " pened here will probably the leſs ſurprize your grace, becauſe the archbiſhop of Dublin in Lon- " don acquainted the miniſtry, that ſuch a repeal could not paſs here, which has been my opinion " from the beginning of this ſeſſion. This I am ſure of, that all preſent in the ſervice of the crown " were of opinion, that the puſh ought not to be made, where there was no probability of ſucceſs."

duct of the Iriſh nation, ought to be recorded.* "I think myſelf happy, "ſaid his grace, that on return to his majeſty's royal preſence, I can juſtly "repreſent his people of Ireland, as moſt dutiful, loyal, and affectionate "ſubjects."

The Duke of Dorſet was ſucceeded in the lieutenancy by the Duke of Devonſhire, whoſe adminiſtration was the longeſt and moſt quiet of any, ſince the acceſſion of the Hanover family. His Grace was wholly devoted to the councils and influence of the primate, who died in that adminiſtration.† No lord lieutenant, ſince the firſt Duke of Ormond, had diſplayed ſuch pomp, ſtate, and luxury as the Duke of Devonſhire: no one had ever applied ſo much of his perſonal patrimony to the gratification or advantage of the Iriſh nation:‡ and upon the whole, his adminiſtration, without being brilliant or glorious, had the negative merit of not having been turbulent.

* 4 Journ. Com. p. 152.

† So the primate expreſſes himſelf to this nobleman on the 28th of April, 1737:—"The great "character your grace has from every body, ſatisfies me we ſhall be happy under your adminiſtra- "tion, if it be not our own fault. I have made it my endeavour to ſerve his majeſty faithfully "here, and ſhall always labour to promote his intereſt and honor, and the proſperity of his ſub- "jects; and am glad that I and the other lords juſtices have been rightly repreſented to your grace "on that head: and I dare anſwer for them, as well as myſelf, that we ſhall do our utmoſt to make "your adminiſtration here eaſy. Beſide thoſe publick letters you are pleaſed to encourage us to "write, there will be occaſions when it may be for the ſervice of his majeſty, and the good of this "kingdom, that I ſhould give your grace an account of my particular ſenſe of affairs, which I "hope you will allow me the liberty to write to your grace. I can promiſe that I will never "knowingly miſlead you, and your grace will always be judge of what I propoſe." Upon which the editor of the primate's letters informs us, that "his grace's adminiſtration was the happieſt, "the longeſt, and perhaps the moſt uſeful that was ever known in Ireland ſince the Houſe of "Hanover came to the crown, which was greatly owing to the confidence he placed (adviſed ſo "to do by his good friend Sir Robert Walpole) in my lord primate. My lord primate died in this "adminiſtration, but had gone through three ſeſſions of parliament without loſing, as it is beſt "remembered, a ſingle government queſtion. But at the ſame time this is obſerved, be it alſo "recollected, that his Grace of Devonſhire did greatly ſtrengthen his own hands, and by that "means thoſe of the government, by a double alliance in marriage with the powerful family of "Ponſonby; who then had great weight, and now are of ſtill greater conſequence in that king- "dom. This alliance, no doubt, contributed to make things go eaſy again, as it did afterwards "during the ſhort adminiſtration of that amiable, moſt worthy, and truly noble perſonage the laſt "Duke of Devonſhire."

‡ At his own private expences he built the Quay in Dublin, which bears the name of *Devonſhire Quay*, in grateful remembrance of this benefactor to the Iriſh nation.

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As it is unqueſtionable, that the adminiſtration of the Duke of Devonſhire was entirely carried on by the direction of the primate, it materially affects the hiſtory of thoſe times, to aſcertain the ſpirit and principles of that government, by which Ireland then was ruled. In writing to the Duke of Newcaſtle about the reduction of the gold coin, the primate obſerves, that he had in a particular manner been ill uſed on this occaſion, and that monſtrous ſtories had been ſpread about to enrage the people.* At this remote diſtance from the action of Primate Boulter's principles upon the people of Ireland, repreſented by their parliament, the impartial obſerver will neceſſarily conclude, that every Iriſhman who conſidered or felt the independence of his country, would reſiſt the fundamental poſition laid down by that political prelate, that *the council in Ireland,* whoſe ſpecial miſſion was to keep up the Engliſh intereſt there, *by the conſtitution had a power to check the proceedings both of the lords and commons.* As perſecution and harſhneſs were agreeable neither to King George the Second, nor to his then favorite miniſter Sir Robert Walpole, the Catholics of Ireland had enjoyed ſome few years of relative indulgence, which was ill reliſhed by the primate, as in his ideas it had produced ſo much inſolence in that body, and there was ſo general a

* 2 Vol. p. 242. "It is poſſible (ſaid his grace, in 1737), ſome diſcontented people may endeavour to bring the affair into parliament, and make ſome reflecting votes on the council here, which by our conſtitution has a power to check the proceedings of both lords and commons, I think they will not be able to carry any vote on that point; but if they do, I am ſure the only check here on their heat at any time will be taken away, except his majeſty is pleaſed to ſupport the council. In the whole affair I am ſatisfied, the aim of ſeveral is to depreſs the Engliſh intereſt here, which the more ſome labour to depreſs, the more neceſſary will it be to ſupport it here by his majeſty's authority. As for myſelf I make no difficulty of retiring, if it may be of any uſe, and indeed have of late been ſo ill uſed in this affair, that nothing but his majeſty's ſervice ſhould hinder me from retiring. The heats of this town begin to cool, and would have been over by this time, if they had not been artfully kept up for a handle to another place." (*Letter to the Duke of Newcaſtle, September 29th,* 1737.) The editor of Primate Boulter's letters aſſures us, that ſuch a malignant ſpirit had been raiſed on this occaſion by Dean Swift and the bankers, that it was thought proper to lodge at the primate's houſe an extraordinary guard of ſoldiers. On no occaſion, however, were the Catholics to be ſuppoſed innocent of any miſconduct that happened in Ireland. It was certainly a ſingular combination of the moſt heterogeneous intereſts, to which the primate attributed this oppoſition to the will of the Engliſh cabinet in Ireland. In this ſame letter the archbiſhop hints, that the heats were artfully kept up by Dean Swift and by the management of the bankers and remitters, and the whole Popiſh party there, and that the affair occaſioned a great deal of heat.

diſpoſition

diſpoſition amongſt Proteſtants and Papiſts to inſult magiſtrates for doing their duty, that they thought it proper for preſerving the peace of the country, to proſecute any perſon *indifferently* that demanded ſatisfaction of any magiſtrate for putting the laws in execution.* No argument can ſo concluſively refute the charges inceſſantly urged from this ſide of the water againſt the Iriſh for being by diſpoſition turbulent and ſavage, by principle inimical to England, and by religion diſloyal to a Proteſtant ſovereign, than the ſimple fact, that Ireland raiſed not an arm againſt the government, when an extenſive and unſucceſsful war on the Continent, the countenance of a young Pretender to the Britiſh throne, and the abſence of a compulſory armed force from Ireland, diſplayed the moſt ſeducing incitements to diſorder, diſaffection, and rebellion, if their roots exiſted in the land. It was then, with notorious truth, that the Duke of Devonſhire ſo frequently in his ſpeeches to parliament during this time congratulated them upon the grateful and happy neceſſity he was under, of reporting favorably to his majeſty upon the affection, zeal, and loyalty of his Iriſh ſubjects.

Loud and vehement as were the cries and exertions againſt Popery and Papiſts in Ireland, yet it is impoſſible for any temperate man not to ſee, that they aroſe out of no other principle than that of ſelf-intereſt. Lord Clancarty had, it appears, under the Duke of Devonſhire's adminiſtration, obtained the conſent of the Britiſh cabinet, that a bill ſhould be brought into

* Letter to the Duke of Devonſhire, 2 vol. p. 227. It certainly is a concluſive avowal, that proſecutions were not before that time carried on indifferently in Ireland, when the firſt miniſter of national juſtice makes a deſperate and forced threat of adminiſtering it *indifferently for the peace of the country.* His grace had before this artfully prepared the public mind for this new and extraordinary adminiſtration of *indifferent* juſtice, by the lord lieutenant's ſpeech at the cloſe of the parliament of that year. (4 *Journ. Com. p.* 280.) "I have nothing particular to recommend "to you upon your return to your ſeveral countries, being well ſatisfied that you will in your re- "ſpective ſtations put the laws ſtrictly and impartially in execution, encourage an hearty union "amongſt Proteſtants, and diſcountenance and puniſh prophaneneſs and immorality. I need not "mention to you, that your maintaining the dignity of the crown, and a due ſubmiſſion to the "magiſtrate, will be the ſureſt means to preſerve the public peace and tranquillity." The laws which were thus recommended to be put in execution, were well underſtood at that time to be the Popery laws, and thus by artfully ſubſtituting the general words *prophaneneſs* and *immorality* for the appropriate word *Popery*, which thoſe laws were framed to puniſh and perſecute, this intriguing prelate acquired a plauſible reaſon for extending his favorite ſyſtem of rigor to thoſe Proteſtants, who diſcountenanced the Popery laws and oppoſed the *Engliſh intereſt*, as objects of more rancor and deteſtation to his grace than even the Papiſts themſelves.

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the Iriſh parliament for the reverſal of his attainder, which paſſed for his adhering to the cauſe of King James in 1688. His eſtates, which had been conſequently forfeited, were, according to Primate Boulter's account, then of the annual value of 60,000*l.* and the report of ſuch a meaſure, together with the reflections made upon the conſequences of ſuch a precedent, threw the Proteſtant landholders into the greateſt alarm and fermentation.* In proportion as they were attached to the poſſeſſion of the Catholics lands, they were vehement in decrying the principles and tenets of the Catholic religion. It had the effect to ſharpen the edge of the law, by more rigorous execution, and of encreaſing the acrimony of the Iriſh government againſt the body of Catholics, notwithſtanding their unſhaken loyalty and exemplary conduct. The nature of this alarm appears from the reſolutions of the

* 2 Boulter, p. 152.

To the Biſhop of London.

My Lord, *Dublin, 9th of February,* 1735.

THE bearer is the Rev. Mr. Cox, one of a very good family here, and of a fair character. He goes over to England to oppoſe the reverſing of the Lord Clancarty's attainder, if any ſuch thing ſhould be attempted this ſeſſion. He is in poſſeſſion of 400*l.* per annum, part of the Clancarty eſtate, which his father bought under the faith of two Engliſh acts of parliament, the Iriſh Truſtee Act, and a particular act obtained by the Hollow Sword Blade Company, who had bought great eſtates here of the truſtees, to make good the titles of thoſe, who purchaſed under them. He will be beſt able to give your lordſhip an account of theſe ſeveral acts. But as not only he, but great numbers of Proteſtant purchaſers, who have improved the Clancarty eſtate to near 60,000*l.* per annum, think they may be affected by ſuch a reverſal, I need not tell your lordſhip what a ferment the diſcourſe of it has occaſioned in thoſe parts where the eſtate lies. But I muſt further add, that as probably two-thirds of the eſtates of Proteſtants here were Popiſh forfeitures originally, the uneaſineſs is univerſal, ſince they think if the attainder of any family be reverſed now, another family may at another time obtain the ſame favour; and another at another ſeaſon; for that no poſſeſſor of ſuch forfeited eſtate can tell how long he or his may continue in the quiet enjoyment of what they have bought under the faith of Engliſh acts of parliament, and on the improvement of which they have laid out their ſubſtance. The Houſe of Commons here have repreſented their ſenſe of this matter to his majeſty, as the Houſe of Lords did two or three ſeſſions ago, to which they then received a moſt gracious anſwer, which was the reaſon they did not addreſs now. As a ſtep of this nature would give great uneaſineſs to his majeſty's Proteſtant ſubjects here, I deſire your lordſhip would, where you judge it proper, repreſent the importance of the caſe. I have wrote a letter on this ſubject to his Grace the Duke of Newcaſtle, and ſent it by the ſame hand.

I am,

My Lord, &c. &c.

commons

commons at the end of the year 1739,* nearly four years after his majeſty had in the year 1735 aſſured them, in anſwer to their former addreſs, that his majeſty would always diſcourage any application or attempt, that might be made for the reverſal of outlawries of perſons attainted for the rebellions in 1641 and 1688, in any caſe that might affect the intereſt or property of any of his Proteſtant ſubjects there. This ſtill proves, that there was an intereſt in the Iriſh cabinet, not in uniſon with all the dictates of the Britiſh cabinet:

* 1 Journ. Com. p. 336. Lund. 18th of February, 1739. Mr. Pigot reported from the committee appointed to take into conſideration the petition of thoſe, whoſe names are thereunto ſubſcribed, in behalf of themſelves and a great number of other Proteſtant purchaſers of the late forfeited eſtates in the county of Cork, or deriving under them, and intereſted in the ſaid eſtates, that they had come to ſeveral reſolutions in the matter to them referred, which he read in his place, and afterwards delivered in at the table, where ſame were again read, and are as follows:

Reſolved, That it is the opinion of this committee, that the petitioners have fully proved the allegations of their petition.

Reſolved, That it appears to this committee, that ſeventy-eight ſuits have been already commenced againſt the petitioners, and other Proteſtants, for the recovery of lands forfeited by the horrid Rebellion of 1688, and purchaſed by them, or their anceſtors, under the ſanction of ſeveral acts of parliament, and that the ſaid ſuits have been greatly expenſive and vexatious to the perſons ſo ſued.

Reſolved, That it is the opinion of the committee, that any attempt to diſturb the Proteſtant purchaſers of the eſtates forfeited in the years 1641 and 1688, in peaceable and quiet poſſeſſion of their juſt and legal properties under ſuch purchaſes, will be of dangerous conſequence to his majeſty's perſon and government, the ſucceſſion in his royal houſe, and highly prejudicial to the Proteſtant intereſt of this kingdom, and contrary to ſeveral acts of parliament made and provided for the ſecurity of ſuch Proteſtant purchaſers.

Reſolved, That it is the opinion of this committee, that any perſon or perſons who ſhall promote, encourage, or aſſiſt any perſon or perſons in carrying on the ſaid ſuits, will thereby endeavour to leſſen the Proteſtant intereſt of this kingdom, and diſcourage his majeſty's loyal Proteſtant ſubjects from making ſettlements or improvements therein.

The firſt and ſecond reſolutions being read a ſecond time, were agreed to by the houſe, *nemine contradicente.*

The third reſolution being read a ſecond time, was, with an amendment thereunto, agreed unto by the houſe, *nemine contradicente,* and is as followeth:

Reſolved, That any attempt to diſturb the Proteſtant purchaſers of the eſtates forfeited in the years 1641 and 1688, in their peaceable poſſeſſion of their juſt and legal properties under ſuch purchaſes, will be of dangerous conſequence to his majeſty's perſon and government, the ſucceſſion in his royal houſe, and highly prejudicial to the Proteſtant intereſt of this kingdom, and derogatory from the parliamentary ſecurity, under which ſuch Proteſtants have purchaſed.

Then the laſt reſolution of the committee being read a ſecond time, was agreed to by the houſe.

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the former however prevailed on this occaſion, and the attainder of Lord Clancarty was not reverſed.*

Several cauſes combined to protect the Iriſh Catholics at this time, from being expoſed to freſh rigor or perſecution: the perſonal feelings of the ſovereign, the political views of the Engliſh miniſtry, the humane diſpoſition of the Duke of Devonſhire, all conſpired in a ſyſtem of leniency and moderation, as beſt calculated to enſure the affection of the Iriſh nation, when it was well known, that the agents of the abdicated family of Stuart were buſily employed in raiſing partizans within the Britiſh empire, and Great Britain was engaged in a moſt important and unſucceſsful war on the continent: and notwithſtanding the ſeverity of the laws againſt Catholics bearing arms either by land or ſea, the Britiſh government had in defiance of the law, been neceſſitated ſecretly to recruit both the army and navy of Great Britain from the fertile nurſery of the Catholics of Ireland: and it is obvious, that in a moment of ſuch preſſing urgency, it would have been the extremity of raſhneſs to indiſpoſe the Iriſh people from enliſting in the army and navy of Great Britain. In the year 1745, under the adminiſtration of Mr. Pelham, who had ſucceeded Sir Robert Walpole, the Britiſh government being embarraſſed not only by the loſs of the noted battle of Fontenoy, but by the landing of the young chevalier in the north of Scotland, who was immediately joined by many of the northern clans, moſt wiſely appointed the

* This nobleman ſenſibly reſented the irreſolution of the Engliſh miniſtry in not carrying into effect their promiſes and engagements for paſſing this meaſure; on this account M'Alliſter, in his letters, (p. 15) obſerves, that he conſidered himſelf ill uſed by the miniſtry of England, and therefore required but a very ſlender invitation to join in any enterpriſe, that in his opinion might diſtreſs them, and therefore with great alacrity and readineſs he attended the ſummons he had received from the old Chevalier to prepare for the intended invaſion of Great Britain in 1745. Lord Clancarty (ſays this author) ſeveral years before he received the letter of invitation from the old Pretender, had been in Ireland, where he brought ejectments for recovery of an eſtate forfeited by his father, amounting to about 60,000l. per annum, which he claimed under a ſettlement of marriage. The parliament of that kingdom paſſed a vote, whereby it was reſolved, that any lawyer, counſel, attorney, or ſolicitor that ſhould proceed in ſuch ſuit, &c. ſhould be deemed an enemy to his country, &c. This reſolution, which quieted the minds and intereſts of the poſſeſſors of that large eſtate, enraged the mind of the earl, who thought himſelf entitled to the whole; and diſappointed in that expectation, he ſought any occaſion for procuring to himſelf the proſpect of poſſeſſing that great fortune, and would have joined the Grand Turk or Cham of Tartary to obtain it.

Earl of Chefterfield lord lieutenant of Ireland.* Notwithſtanding there then exiſted a corps of Britiſh Jacobites, conſiſting of ſeven regiments of Iriſh, and two of Scots† in the pay of the French monarch, who conſidered themſelves

* When political neceſſity forces government into wholeſome meaſures, it is to be regretted, when they are not ſoftened with the popular unction of *good grace.* Nothing can ſo effectually abſolve a miniſter from perſonal gratitude and feeling for his appointment, as to be made ſenſible in the firſt inſtance, that neceſſity, not favor, brought him to his ſituation. It makes him feel himſelf rather the man of the people, than of the crown; hence that diſlike to popular miniſters, which has too frequently ſhewn itſelf in our ſovereigns. The gloom of the political horizon in Great Britain, under what was then in deriſion called the *drunken adminiſtration,* had forced the king to ſacrifice his confidential and favorite miniſter Lord Carteret, to private jealouſy and public clamor. *(Dr. Maty's Memoirs of Lord Cheſterfield, Sec. IV.)* A treaty had been for ſome time negociating between the old part of the miniſtry, and the members of the oppoſition; but it was not concluded before the cloſe of this year (1744), it was called the *coalition,* or *broad-bottom treaty.* Lord Cheſterfield, who was at the head of that party, had long declared for an honorable peace, or, till that could be obtained, for an excluſive exertion of Britiſh forces on that element, where they are truly formidable. On this principle a league was formed between the two parties, to drive out the miniſter, who was looked upon as their common enemy. This was a matter of no ſmall difficulty. Lord Carteret had got poſſeſſion of the royal ear; and the only way to effect it, was to perſuade the king, that his favorite meaſures would be purſued, and carried on with greater efficacy, by miniſters of a more popular caſt. Lord Cheſterfield was propoſed, as being equal to the obnoxious miniſter in his political knowledge of the intereſts of princes, and as the moſt likely perſon to prevail with the ſtates to join heartily in the common cauſe. Neceſſity alone could have induced George II. to employ a man whom, for a number of years, he had been taught to conſider as his perſonal enemy; (he often complained, that the king's ear had been poiſoned with lies againſt him) and whom, in return, he had not treated as a friend. He had, however, no great objection to avail himſelf of the earl's intereſt in Holland, and was even willing to ſend him from thence, as lord lieutenant to Ireland, if for no other reaſon, to keep him ſtill at a diſtance. But he wanted to make the admiſſion of the earl into the cabinet a reward for ſervices, rather than a condition of his being employed; and perſiſted in delaying, at leaſt for a time, to receive him into the cloſet. Lord Cheſterfield peremptorily inſiſted upon both theſe circumſtances. The audience was accordingly granted; but the monarch, ever ſuperior to diſſimulation, received him with great coldneſs. *You have received your inſtructions, my lord,* were the only words, which he ſpoke in anſwer to the earl's application to be honored with his majeſty's commands. This is not the only inſtance in this reign, of a ſubject's forcing his way to his maſter, and obtaining or recovering his favor. Thus was Lord Cheſterfield, after an oppoſition of ten years to public meaſures, called upon once more to take a part in adminiſtration. Admitted on his own terms, and without being obliged to ſacrifice either his friends or his principles, he had the ſatisfaction of being called by the voice of the nation: and while one part of Europe dreaded the influence of ſo able a negociator, the other loudly expreſſed the higheſt ſatisfaction at ſo judicious a choice.

† The ſix Iriſh regiments of foot, were *Dillon, Clare, Berwick, Roſcommon, Lally,* and *Bulkeley;* and

ſelves as auxiliary troops of James Stuart, their rightful monarch of theſe realms, and that frequent intercourſe muſt have ſubſiſted between thoſe who ſerved

and *Fitzjames's* horſe: the Scots were, the *Royal Scots* horſe, and *Ogilvie's* foot. Three of theſe regiments were at the battle of Fontenoy, and deſervedly claim the merit of turning the fortune of that day in favor of the French: on which occaſion George the Second is reported to have ſaid with unuſual emotion, *curſed be the laws, which deprive me of ſuch ſubjects.* The learned and ingenuous Dr. Campbell gives this honorable teſtimony of Iriſh bravery. *(Ph. Surv. p. 274.)* "The Iriſh "troops I find lie under the imputation of generally behaving ill at home. And therefore Vol- "taire claſſes Ireland among thoſe nations, which ſeem formed for ſubjection, while he admits that "her troops behave well abroad." This lively, but inaccurate writer, could not have forgot, that at the battle of Blenheim, Lord Clare's dragoons alone were victorious on the ſide of the French, having cut to pieces a German regiment commanded by Colonel Goore; that the like glory attended them at Ramillies; and that the Iriſh regiments of Dillon and Burk ſaved, not only Cremona, but the whole French army in Italy. This action was attended with ſuch eclat, that it was ſaid in the Britiſh Houſe of Commons, that the Iriſh abroad had done more miſchief to the Allies, than they could have done at home, by being repoſſeſſed of their eſtates. They tell you it was Ligonier's horſe, to a man Iriſh, which preſerved the king's perſon, and thereby gained the battle of Dettingen. Many other caſes are adduced to the ſame purpoſe. It was probably, reflections of this nature which produced the following lines of Swift:

Her matchleſs ſons, whoſe valour ſtill remains,
On French records, for twenty long campaigns;
Yet from an Empreſs, now a captive grown,
She ſaved Britannia's rights, and loſt her own.

After all! Is it any thing more than to ſay, that the frequent inſurrections of a divided people, whoſe war was undiſciplined, as their peace was uncivilized, were always ſuppreſſed by the regular forces of a great and powerful nation? If the Iriſh had tamely acquieſced under that ſubmiſſive faction ſtruck between ſome of their chiefs and Henry II., there might have been ſome grounds for the cenſure of Voltaire.

Sir John Davis, among the many cauſes aſſigned why Ireland was not brought under obedience to the crown of England, before the reign of James I. every where commends the proweſs, and other natural endowments of the people. A ſtruggle, though unſucceſsful for liberty, almoſt uninterrupted for near 500 years, is certainly no ſymptom of a country formed for ſubjection. But this ſtruggle laſted much longer; and had Sir John come later into life, he would have ſeen, that Ireland was at that time far from being ſubdued. The being ſubdued does not argue the being formed for ſubjection. The Britons were completely ſubdued by the Romans; and if Britain had been formed for ſubjection, we could not at this day, boaſt of being the moſt free people in Europe. In the hiſtory of this country, I do not find any period in which it diſcovered ſuch deſpondence, as our anceſtors did in that humiliating letter to Aetius.

But be this as it may, the behaviour of the Iriſh at home, even in the laſt war, was far from contemptible. They were routed, it is true, at the Boyne, in their firſt general engagement, by the

ſerved the exiled prince at St. Germain's or in this brigade, and their relatives in Ireland, yet ſo pure was the loyalty of the great body of the Iriſh in this critical juncture, that not even a ſuſpicion of their riſing in the cauſe of the Pretender, was harboured or acted upon by that prudent governor. True it is, that before this wiſe nobleman had aſſumed the reigns of the Iriſh government, the uſual means of alarming and irritating the public mind from the ſenate, bench, and pulpit, had been ſo effectually purſued, that upon a report of the Marſhal Saxe's intention to make a deſcent upon England, a ſerious propoſal had been made in council, that as the Papiſts had began the maſſacre on the Proteſtants in 1641, it was but juſt and reaſonable in that critical juncture to retaliate in like manner upon the Papiſts. Although this barbarous propoſal were indignantly rejected by that honorable aſſembly, to which it was propoſed, yet ſuch was the enthuſiaſtic rancor of ſome of the lower orders of the Proteſtant inhabitants of Lurgan, that ſuch a horrid conſpiracy was actually entered into, and providentially prevented by the diſcovery of a reſpectable merchant of Dublin, who happened to be accidentally there upon his commercial concerns. Nothing could exceed the coolneſs, moderation, and wiſdom of the Earl of Cheſterfield's conduct on this trying occaſion.* He had fortunately been entruſted with a plenitude of diſcretion:

beſt generals, and the beſt troops then in Europe; their king, in whoſe cauſe they bled, ſtanding at a diſtance, and ſhewing himſelf thereby unworthy of wearing any longer that crown, for which he contended.

At the concluſion of the war, "during the treaty of Limerick, a ſaying of Sarsfield deſerves to "be remembered, for it was much talked of all Europe over. He aſked ſome of the Engliſh "officers if they had not come to a better opinion of the Iriſh, by their behaviour during this war? "And whereas they ſaid, that it was much the ſame that it had always been, Sarsfield anſwered, "though low as we are now, change but kings, and we will fight it over again with you."

* Every act of this excellent governor differed from thoſe of all his predeceſſors, and unfortunately too of moſt of his ſucceſſors. *(Maty's Memoirs)* Before he left England, he was willing to ſhew that he intended to govern by himſelf. The office of principal ſecretary is not only a place of conſiderable power, when the lord lieutenant is willing to throw upon another the load of public affairs. If the ſecretary be capable and enterprizing, he becomes the principal; the governor is eclipſed, and ſhares only the odium, but never the honor, of his ſubſtitute's management. Several perſons of great abilities as well as experience, were accordingly propoſed to the earl for that important office. But faithful to the rule he had preſcribed to himſelf in his two embaſſies, he reſolved to make ſuperior abilities no part of the ſecretary's qualifications. He liſtened not to the intimations of favorites and miniſters, and even reſiſted the inſinuations of friendſhip, which might have

diſcretion: and the gratitude of the Iriſh, for the judicious and prudent uſe of his extraordinary powers, has not even to this day, been effaced from the loweſt of their peaſantry. Gratitude has ever a ſtrong hold upon the Iriſh nation. It required indeed the eminent ſagacity and addreſs of that nobleman, to baffle the efforts and importunities of the violent party in Ireland, with which they daily aſſailed the caſtle, and demanded rigor and ſeverity againſt the Catholics, as the juſt tribute to the Proteſtant intereſt, and the only means of ſupporting the eſtabliſhment: by theſe ſalutary meaſures, during the whole continuance of the rebellion in Great Britain,* not a ſingle Iriſh Catholic lay or clerical, was engaged, or even accuſed of being engaged in that cauſe.†

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have determined his choice in favor of Mr. Mallet. The gentleman he preferred was the late Richard Lyddel, Eſq. member of parliament for Baſſiny in Cornwall. That gentleman, he ſays, in a letter to his ſon, *was a very genteel pretty young fellow, but not a man of buſineſs.* This was the circumſtance, which dictated his choice; and on the firſt viſit his ſecretary paid him, he told him; Sir, you will receive the emoluments of your place, but I will do the buſineſs myſelf, being determined to have no firſt miniſter. In another inſtance he likewiſe choſe to be ſingular and peremptory. He openly declared, that if, during his ſtay in Ireland, any perſon ſhould make a ſucceſsful application to the king, for any place in his majeſty's gift, through any other channel but his own, he would immediately throw up the lord lieutenancy. Conſcious of his integrity, he certainly was right in making this declaration, which perhaps would neither have been decent nor eaſily attended to, if a man of leſs reſolution and conſequence had at that time ventured to make it. On his landing he found the high character he had acquired, of the greateſt ſervice to him. In an iſland eſteemed not leſs boiſterous than the element that ſurrounds it, he was particularly happy in quieting and captivating the turbulent diſpoſition of the inhabitants; and Cicero, whom he had conſtantly before his eyes as an orator, became alſo the object of his imitation in his government.

* The Pretender landed in the ſummer of 1745, on one of the Hebrides, and on the 19th of Auguſt, the Marquis of Tullibardine erected his ſtandard at Glenfinnan: and on the 16th day of April, 1746, the battle of Culloden was won by the Duke of Cumberland, which properly put an end to that rebellion.

† This fact is fully proved by Dr. Curry, *(2 vol. p. 261, Dub. Ed. 1793.)* "In the year 1762, "upon a debate in the Houſe of Lords about the expediency of raiſing five regiments of theſe Ca- "tholics, for the ſervice of the King of Portugal, Doctor Stone (then primate), in an anſwer to "ſome common place objections againſt the good faith and loyalty of theſe people, which were "revived with virulence on that occaſion, declared publicly in the Houſe of Lords, that "in the "year 1747, after that rebellion was intirely ſuppreſſed, happening to be in England, he had an op- "portunity of peruſing all the papers of the rebels and their correſpondents, which were ſeized in "the cuſtody of Murray, the Pretender's ſecretary; and that after having ſpent much time, and taken

great

When Lord Chefterfield met the parliament on the 8th of October, his ſpeech to them beſpoke the wiſdom of his conduct: he addreſſed himſelf to a feeling people with the authority of a ruler and with the affection of a father. Conſcious as he was, that a very large part of them was ſtill rancorouſly diſpoſed towards the Catholics, he would not all at once ſhock their inclinations and prejudices by a declaration of that indulgence, which his political experience pointed out to him adviſeable at all times, but abſolutely indiſpenſable in that juncture: like a great ſtateſman he firſt aſſured them, that he was honored with the king's commands to meet them in parliament, and to co-operate with them in whatever might tend to eſtabliſh or promote the true intereſt of that kingdom. Then referring pointedly to the circumſtances of the Scotch rebellion, and the happineſs they had

" great pains in examining them (not without ſome ſhare of the then common ſuſpicion, that there " might be ſome private underſtanding and intercourſe between them and the Iriſh Catholics) he " could not diſcover the leaſt trace, hint, or intimation of ſuch intercourſe or correſpondence in " them, or of any of the latters favouring, or abetting, or having been ſo much as made acquainted " with the deſigns or proceedings of theſe rebels; and what he ſaid he wondered at moſt of " all was, that in all his reſearches, he had not met with any paſſage in any of theſe papers, " from which he could infer, that either their holy father the pope, or any of his cardinals, " biſhops, or other dignitaries of that church, or any of the Iriſh clergy, had either directly or " indirectly, encouraged, aided, or approved of, the commencing or carrying on of that rebellion." There cannot be a more honorable teſtimony confirming this report of Primate Stone, than the charge given to the grand juries of the city and county of Dublin, by the Lord Chief Juſtice Marlay, in which he thus addreſſed them: " When poſterity read, that in this age a rebellion was " carried on in Great Britain without the leaſt colour, or pretence of oppreſſion, nay, by many " who had not even that falſe pretence of religion to palliate their treaſon againſt a prince, one " of the beſt, the moſt merciful, juſt and moſt generous of our royal line, who has given the for- " tunes of all criminals, whether forfeited for crimes againſt the ſtate, or for other offences, " to their children or relations (a grace never practiſed before); who has expoſed his perſon at " the head of his armies, in defence of the liberties of his kingdoms, and of Europe; and that " Ireland, where much the greateſt part of the inhabitants profeſs a religion, which ſometimes " has authoriſed, or at leaſt juſtified rebellion, not only preſerved peace at home, but contributed " to reſtore it among his ſubjects of Great Britain; will they not believe that the people of Ireland " were actuated by ſomething more than their duty and allegiance? Will they not be convinced, " that they were animated by a generous ſenſe of gratitude, and zeal for their great Benefactor, " and fully ſenſible of the happineſs of being bleſſed by living under the protection of a monarch, " who, like the glorious King William, the Henries, and Edwards, his royal predeceſſors, has " himſelf led his armies to victory, and deſpiſed danger in the cauſe of his people; and one from " whom we not only expect, but are aſſured of, a race of princes, equally eminent for their gene- " roſity, prudence, and courage."

enjoyed

enjoyed under the houſe of Brunſwick, he thus touched upon the old ſubject of invective to all his predeceſſors on their meeting the parliament. "The meaſures, that have been hitherto taken to prevent the growth of "Popery have I hope had ſome, and will ſtill have a greater effect: however "I leave it to your conſideration, whether nothing further can be done "either by new laws, or by the more effectual execution of thoſe in being, "to ſecure this nation againſt the great number of Papiſts, whoſe ſpecula- "tive errors would only deſerve pity, if their pernicious influence upon "ſociety did not both require and authoriſe reſtraint." And "for my own "part (he concluded) I make you no profeſſions: you will, you ought "to judge of me only by my actions."

*The lords on the ſame day reſolved on an addreſs to the king, which ſhould amongſt other things expreſs their great thankfulneſs to his majeſty for his goodneſs in placing over them, at that critical juncture, his excellency, the Earl of Cheſterfield, whoſe diſtinguiſhed abilities often and ſignally exerted in the ſervice of his majeſty, ſo eminently qualified him for the important truſt then repoſed in him by his majeſty for the ſecurity and happineſs of that kingdom. And on the next day the commons voted an addreſs to the throne, in which they aſſured his majeſty, that they could not have a ſtronger aſſurance of his majeſty's tender concern for them, than in the choice of a governor for that kingdom, ſo eminent for great abilities and diſtinguiſhed merit as the Earl of Cheſterfield, whoſe diſcerning judgment had pointed out what was neceſſary for their conſideration and care, both with reſpect to the honor of his majeſty's government, and their own true intereſt.

The Earl of Cheſterfield found but an inconſiderable military force in the kingdom: and had he given ear to the alarmiſts of that day, who magnified external and fabricated internal danger, he would have drained Great Britain of her troops to quell an ideal inſurrection by meaſures, that probably would have created a real one: had he trodden the beaten path of patronage, he would have raiſed new regiments: had he purſued the old ſyſtem of the caſtle, he would have encreaſed the expenditure, and trebled the ſupplies, under the hackneyed cries of Popiſh riſings for a Popiſh Pretender, and Proteſtant maſſacres: had he continued the ſyſtem of rigor and perſecution he

* 3 Lords' Journ. p. 591.

found

found carrying on againſt the Catholics at his arrival in that kingdom; their places of worſhip would have remained ſhut, and the priſons and ſcaffolds would have been crouded with their prieſts, for diſobeying the proclamation lately iſſued to oblige them to quit the kingdom, and for enforcing the ſtricteſt execution of the penal laws of Elizabeth and Ann. The conduct of this wiſe viceroy was directly the reverſe. Confiding in the ſteady loyalty of the Iriſh people, inſtead of encreaſing, as he was importunately adviſed, the army by 4000 men, he ſent four battalions to the aſſiſtance of the Duke of Cumberland, and encouraged volunteer aſſociations to form in different parts of the kingdom for the defence of their country. Theſe battalions he replaced by additional companies to the regiments already on the eſtabliſhment, without encreaſing the expenditure of the nation, the influence of the crown, or his own patronage or emolument. The ſupply aſked for by Lord Cheſterfield was ſmall: it was raiſed with eaſe and expended with œconomy: there was a conſiderable ſaving out of what was raiſed, and it was applied to the improvement of the harbour of Corke. He reſted the ſupport of his meaſures upon their rectitude, and chaſtely abſtained from gaining friends by the cuſtomary mode of reverſionary grants. He opened to the Catholics their places of worſhip,* releaſed their prieſts out of priſon, and allowed them the undiſturbed exerciſe of their religious duties. This great ſtateſman well knew, that the Iriſh, above all other people, were

* In many parts of the country the Popery laws were executed with the moſt unrelenting rigor: it is however but an act of juſtice to ſeveral of the magiſtrates of that day to obſerve, that they were even ingenious to extend their leniency to thoſe, who they were conſcious, did not deſerve rigor at their hands. Their humanity revolted againſt the power, which the law gave them: when the Reverend Mr. Egan was proſecuted for being a Popiſh prieſt, the witneſſes ſwore they ſaw him celebrate the Maſs, which in the eye of the law was ſufficient to convict him; but the judge replied, that Garzia the Jew had done the ſame in Dublin, in 1718, and that nothing would do to prove Egan a Popiſh prieſt, but to ſubſtantiate his ordination after the manner of the Romiſh Church; "beſides (ſaid he) to my knowledge, a prieſt muſt know ſome Latin, but here is a booby that "cannot read a word of Engliſh." The arrival of Lord Cheſterfield as viceroy ſerved to mitigate the ſeverity of thoſe unſocial times, and he availed himſelf of an accident, which was univerſally ſpoken of, to ſoften the rage of perſecution. A Mr. Fitzgerald happened to ſay Maſs in the garret of a very old houſe, which gave way on account of the immenſe crowd that was aſſembled; the prieſt and nine perſons were killed, and numbers wounded by the ruins. People in power were touched with a tranſitory pity, which Lord Cheſterfield's humanity took care to cultivate. The chapels were allowed to be opened on St. Patrick's day, and were never after ſhut, not even during the rebellion, which blazed in Scotland in the year 1745.

to

to be gained and ſecured by confidence, kindneſs and liberality. Thus Proteſtants and Catholics, Whigs and Tories, Engliſh and Iriſh intereſts, all ſtricken with the glare of rectitude of his meaſures, united in contributing to render his government agreeable and efficient. Neither in nor out of parliament was a ſingle meaſure of this excellent governor oppoſed, or diſreliſhed.* The lords almoſt immediately (viz. on the 9th of October 1745)

* Doctor Maty thus retails this governor's conduct (*Mem. Sect. V.*). Upon the breaking out of the rebellion, the private Popiſh chapels in the metropolis had been ſearched for, and ordered to be ſhut up, proclamations were iſſued to compel the prieſts to leave the capital, and the refractory were impriſoned and threatened with ſevere puniſhments. The new lord lieutenant did not want for adviſors, who preſſed him to follow this example. His enlarged notions of humanity and true politics induced him to purſue a different and much wiſer courſe. He allowed the Roman Catholics the free uſe of their religion, and far from attempting to ſhut up their places of worſhip, he rather wiſhed them to continue open; and prevented any diſturbance from being given to thoſe, who reſorted to them. His view was to diſcover whether the people of that denomination remained in the kingdom, or left it to go over to their ſuppoſed friends in Scotland. To be informed of that material fact, he took care to engage perſons to attend at their chapels and fairs, and received with great ſatisfaction, aſſurances, that they were both as much frequented as ever. A certain proof of the confidence they placed in his promiſes, and of their deſire not to moleſt government. The deluded adherents to the exiled family were treated with equal lenity and prudence. One of them, a Roman Catholic, who had an eſtate in the neighbourhood of Dublin, and was looked upon as an agent to the Pretender, was privately ſent for to the caſtle. "Sir (ſaid Lord Cheſterfield), I do "not wiſh to inquire whether you have any particular employment in this kingdom, but I know "that you have a great intereſt amongſt thoſe of your perſuaſion. I have ſent for you to exhort "them to be peaceable and quiet. If they behave like faithful ſubjects, they ſhall be treated as "ſuch; but if they act in a different manner, I ſhall be worſe to them than Cromwell." Whether he would have really been ſo, may be doubted; but this converſation, together with his watchful eye, had ſuch an effect, that not one of them ſtirred during the whole time of the rebellion, and all the informations againſt particular perſons were found abſolutely groundleſs. His efforts to remove prejudices, and maintain harmony and benevolence, were ſeconded by writers, whom he encouraged to ſupport the ſame cauſe. Dean Swift was ſtill alive, when Lord Cheſterfield arrived, but reduced to a ſtate of total dotage and inſenſibility, which one month after ended in his death. This ſhort interval was laid hold of, to publiſh under his name a new letter of a Drapier to the good people of Ireland, and particularly to the poor Papiſts. It was ſo much in the dean's ſtile, and was ſo greedily received, that it went through a variety of editions in a month's time. Indeed the many ſtrokes of wit and humour, that it contained, would induce me to ſuſpect, that his lordſhip had ſome ſhare in it. Berkeley, the biſhop of Cloyne, employed himſelf in the ſame cauſe, perhaps more uſefully than in his recommendation of tar water, or his dialogues againſt matter. His letter to the Roman Catholics of his dioceſe was worthy of a Chriſtian biſhop. He endeavoured to diſſuade his fellow

1745) expreſſed their ſatisfaction at the appointment of this great ſtateſman at ſo critical a juncture, in an addreſs to the lord lieutenant;* in which they expreſſed their ſenſe of his majeſty's favor and goodneſs towards Ireland in ſparing from his councils in Great Britain, a perſon of his excellency's known and tried abilities for the good and advantage of that nation. †The commons

citizens and neighbours from falling into the ſame errors, which had been ſo fatal to their fathers; and appealing to their reaſon, convinced them, that their ſituation was as advantageous as they could wiſh it to be, and that it would be the height of imprudence to engage in a dangerous cauſe, to which neither intereſt did invite, nor conſcience did oblige them." Reaſon never ſpeaks in vain; the moſt hardened are inſenſibly ſoftened by its voice. The Iriſh prieſts, ſenſible of the gentleneſs of the preſent adminiſtration, co-operated with their Proteſtant brethren to maintain order and tranquillity. Theſe paſtoral letters, public diſcourſes from the pulpit, and private admonitions, were equally directed for the ſervice of government. The ill-grounded apprehenſions of the friends to the preſent ſyſtem were not leſs to be guarded againſt, than the enterpriſes of its enemies. This was by much the moſt difficult taſk, but Lord Cheſterfield was equally ſucceſsful in encouraging the former and diſarming the latter. By conſtantly appearing to be afraid of nothing, he ſpread an univerſal belief that nothing was to be feared; and by the ridicule he threw upon the violent meaſures which were propoſed to him, he manifeſted his deſire of abſtaining from them till there was real danger. Thus (Notes to the Memoirs, p. 29 and 31) the ſame author ſays, that a zealous Proteſtant, thinking to pay his court to the lord lieutenant, came to inform him, that one of his coachmen was a Roman Catholic, and privately went to Maſs. *Does he indeed?* (ſaid his lordſhip) *well, I will take care he ſhall never carry me there.* An inſtance of his lordſhip's calmneſs and preſence of mind on this occaſion has been given by the Biſhop of Waterford. "I cannot (ſays he) "forbear to mention a pun of his lordſhip's, which ſhews his quickneſs at repartee, and that he had "the beſt information of the diſpoſitions of the Roman Catholics, and was not afraid of them. The "vice-treaſurer, Mr. Gardner, a man of a good character and a conſiderable fortune, waited upon "him one morning, and in a great fright told him, that he was aſſured, upon good authority, that "the people in the province of Connaught were actually riſing. Upon which Lord Cheſterfield "took out his watch, and with great compoſure anſwered him, It is nine o'clock, and certainly "time for them to riſe; I therefore believe your news to be true."

* 4 Lords Journ. p. 594.

† 4 Commons Journ. p. 506.

MAY IT PLEASE YOUR EXCELLENCY,

We the commons of Ireland in parliament aſſembled, beg leave to expreſs our ſincere and unanimous ſenſe of the benefits which we have received from your excellency's mild and prudent adminiſtration. His majeſty's gracious acceptance of the duty and loyalty of his ſubjects in this kingdom, has been particularly manifeſted by his committing them to your excellency's care, in ſo critical a conjuncture, when your zeal for the preſent happy eſtabliſhment was of more immediate importance to our ſecurity, and your eminent abilities could be more effectually exerted for our ſervice. Theſe uncommon talents, by which your excellency has been moſt juſtly

commons were more tardy in expreſſing their ſentiments to the viceroy, though their addreſs, which was made on the 5th of April 1746, were more pointed, as being founded in the happy experience, and not in the anticipated confidence of his adminiſtration. The Earl of Cheſterfield had the ſatisfaction of ſeeing all his attempts to ſerve the kingdom he was ſent, in that critical moment, to govern, requited by the moſt peaceful demeanour and enthuſiaſtic gratitude of the Iriſh nation. He was univerſally admired on his arrival, beloved during his ſtay, and regretted upon his departure. To perpetuate his virtues and the gratitude of the nation, his buſt was placed in the caſtle of Dublin at the public expence.*

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juſtly diſtinguiſhed, and which did in all times excite our admiration, muſt now more ſenſibly affect us, when we have ſeen them through your whole adminiſtration, ſo invariably directed, and employed with ſo unwearied an application to ſupport the dignity of his majeſty's crown, and to promote the true intereſt of his people. As upon the firſt appearance of the rebellion in Scotland, our zeal for his majeſty animated us with a juſt reſentment and indignation, and as our concern for the preſervation of our rights and liberties, ſo dear to the Proteſtants of this kingdom, could not but raiſe in our minds ſome unquiet apprehenſions; we were ready, as we ſhall ever be, chearfully to concur in all proper meaſures, and to exert our utmoſt ſtrength for the defence of the king's government, and the ſupport of your excellency's authority under him. And we do now, with equal chearfulneſs, and with the utmoſt gratitude acknowledge, that the profound tranquillity, which, without any extraordinary increaſe of public expence, we of this nation have hitherto enjoyed, has been the reſult of a wiſe and vigilant adminiſtration over us; an adminiſtration formed upon the principles and carried on by the uniform exerciſe of lenity without remiſſneſs, and of firmneſs without ſeverity. We receive it as a particular mark of your excellency's regard, that when your aſſiſtance at his majeſty's councils in this time of the moſt arduous and extenſive deliberations there, muſt have been ſo neceſſary, you have ſeemed to conſider the buſineſs of this kingdom as the principal object of your attention. Upon this account we think it almoſt ſuperfluous to add our requeſt, that your excellency would, on your return, repreſent us in the moſt favorable manner to his majeſty, ſince our experience of your paſt conduct muſt ſufficiently aſſure us of the continuance of the ſame good diſpoſitions towards us, and as we are moſt firmly perſuaded that your preſence has not been more conducive to our ſafety now, than your influence will hereafter be to our proſperity.

* Doctor Maty has elegantly and conciſely painted the halcyon hours of Lord Cheſterfield's government. (*Sect. V.*) "As it was owing to the lord lieutenant's vigilance and reſolution that the "French and Spaniards did not attempt to land any troops in Ireland during the time of the rebel-"lion, it was likewiſe an effect of his prudence and moderation, that the horrors of a civil war did "not reach that country. Diſtinctions of parties ſeemed to be aboliſhed, and animoſities to be "forgotten as well as prejudices and ſuſpicions. Religion became what it ought to be, a bond of "union inſtead of an inſtrument of diſcord; ſuperſtition was enlightened, and fanaticks diſarmed. "Hence a phenomenon took place, not often beheld in times of tranquillity. Proteſtants and

The ſhort adminiſtration of the Earl of Cheſterfield furniſhes reflections highly important to the welfare of the Iriſh nation. It was a practical demonſtration of the utility of a ſyſtem of lenity and liberality, not only to Ireland, but to the whole Britiſh empire. It was a concluſive evidence, that Great Britain well knew how at any time to enſure the happineſs of her ſiſter kingdom, though unwilling at moſt times to promote it. The danger of Great Britain drove her to do juſtice to Ireland for the few months during which that danger laſted; and her ſecurity brought with it repentance, at the momentary, though neceſſary interruption of the ancient ſyſtem. It is lamentably remarkable how thriftily Great Britain dealt out this tranſient juſtice to Ireland, as if ſhe counted reluctantly the hours of its enjoyment. On the 19th of Auguſt, 1745, the ſtandard of rebellion was formally erected in the Highlands of Scotland: a courier was diſpatched to haſten the return of the king, who was then in Hanover: he arrived in London before the end of Auguſt: and on the 31ſt day of Auguſt, the Earl of Cheſterfield was appointed lord lieutenant and chief governor of the kingdom of Ireland. On the 16th of April, 1746, the defeat of the Pretender at Culloden by the Duke of Cumberland put an end to the rebellion; and on the ninth day after that event, Ireland was deprived of her favorite viceroy; for on the 25th of April, 1746, Primate Hoadley, Lord Chancellor Newport, and Mr. Boyle, the ſpeaker of the Houſe of Commons, were appointed lords juſtices, and vainly did Ireland ſigh for the return of her ſhort-lived felicity: Great Britain was out of danger: and Ireland could ſecurely be put again under its former regime.* In order effectually to cut off all hopes of the return of Lord

" Roman Catholics, natives and ſtrangers, well-wiſhers and enemies to the Pretender, all alike influ-
" enced by the example of their benevolent governor, indulged, reſpected, and would have loved
" one another, if he had continued a longer time among them.

" It is the province of hiſtory to perpetuate the tranſactions of an adminiſtration, which it will
" ever be the intereſt of future lord lieutenants to ſtudy and to imitate."

* It appears to have been a fatality peculiar to Ireland, that her greateſt civil bleſſings have been unexceptionably obtained under circumſtances, that to ſay the leaſt of them, deprived Great Britain of the merit of voluntary, cordial and gracious acceſſion. Thus ſhall we have to note in proper time and order, the ſituation of Great Britain, when the independence of Ireland was recognized in 1782, which Mr. Burke obſerved, was the true revolution to the Iriſh, and when ſhe became united with Great Britain. For the honor of the people of Great Britain, it were to be wiſhed, that neceſſity had not forced, but reaſon and liberality had proffered the boon: yet that very neceſſity proves its excellency; and its excellency will enſure its continuance and ſucceſs.

Cheſterfield

Chesterfield to Ireland, on the 13th of September the Earl of Harrington was appointed the new lord lieutenant.

We are now arrived at that period of the Irish history at which Mr. Burke observed,* the English in Ireland began to be domiciliated, and to recollect that they had a country. The English interest at first by faint and almost insensible degrees, but at length openly and avowedly, became an *independent Irish interest*, full as independent as it could ever have been, if it had continued in the persons of the native Irish. The new lord lieutenant, when he met the parliament in October, 1747, particularly complimented them on his majesty's continuance of his paternal regard and affection to a *dutiful and loyal people:* and recommended a continuance of the same good conduct and vigilance, which, under God, had prevented the communication of so dangerous an infection (i. e. the Scotch Rebellion) to that kingdom.

A political question was about this time started in Ireland, and carried on with extraordinary virulence by the contending parties. Mr. Lucas, a medical gentleman from Corke, upon a vacancy having happened in the representation of the city of Dublin by the death of Sir James Sommerville, attracted the notice and secured the warmest support of the patriots of that day, by publickly attacking the abuses, that had lately prevailed in the elections of members for the city of Dublin, by which the commons were deprived of the power of chusing the city magistrates, and that power was placed in the Board of Aldermen, subject to the approbation of the lord lieutenant. The press teemed with letters, answers, replies, addresses, appeals, counter-appeals, and every engine, that could be employed to add rancor, sting, and fuel to the heats of the contending parties. It was no longer an electioneering squabble between two rival candidates: it became a trial of strength upon popular principles of civil liberty between the patriots and government. It kept the Protestants† of Ireland in a flame of civil discord for

* Letter to Lang. p. 45.

† It was natural, that the Irish Catholics, who were formally excluded from any active or passive representation in parliament, should be indifferent to those contests for civil rights, which could not end in admitting them to the enjoyment. The first periodical publication of Mr. Lucas was the *Censor*, against which Sir Richard Cox (under the title of Anthony Litten) wrote his appeal to the public, abusing Lucas (he was a Presbyterian) as an incendiary and a *Papist*; and treating the Catholic body of the Irish nation with the most contemptuous and rancorous hostility.

Against this Appeal of Sir Richard Cox, Mr. O'Connor wrote his *Counter-Appeal*, to shew, that so

for ſeveral years. Mr. James Digges La Touche, who had formerly been an intimate friend of Mr. Lucas, and ſtrongly united with him in political principles, on this occaſion abandoned his former principles, and propoſed himſelf as a candidate for the city of Dublin, in direct and violent oppoſition

ſo far from being addicted to ſlaviſh opinions, the Iriſh nation had, on the contrary, laboured long under a complication of evils reſulting from licentiouſneſs, and that it was their greateſt political misfortune and the ſource of all their calamities, that the exceſs of liberty, which prevailed among them was not tempered by Ariſtocracy in ſuch a manner as to afford a ſolid ſupport to monarchy on the one ſide, and freedom on the other. This pamphlet was dated from the town of Londonderry, September 30th, 1749. It was written in a haſty manner, merely for the conteſt and paſſion of of the day, and Mr. O'Connor never would acknowledge it to be his, until his correſpondence with Reily, the editor, obliged him to acknowledge it.

" Your inflammatory counter-appeal (ſays Reily) has been roared about " the ſtreets here all this day, and ſo inflaming it is, that Walter Harris, the hiſtorian, told the " printer (Kelburne) he would be ſummoned to the Bar of the Houſe, and ſent to Newgate; for " that it is of a more dangerous tendency, than all Lucas's papers together. The beſt of it is, that " Kelburne himſelf cannot gueſs at the author: ſome ſay it is Brooke, others Lucas himſelf; but " let them gueſs on while you are ſafe. You muſt guard againſt all Sir Richard's friends, he is not " only warm, but malicious againſt Lucas.

" Yours, &c. &c.

Dublin, October 10th, 1749. " CIVICUS."

Mr. O'Connor to Civicus.

" Your hints are friendly, and demand my thanks, but I am by no means " intereſted, nor is any of our unfortunate people in this affair of Lucas, into which we are dragged " by violent and wanton malevolence; I have even ſome diſguſt to Lucas, on account of his Bar- " ber's letters; a true patriot would not have betrayed ſuch malice to ſuch unfortunate ſlaves as " we. But thoſe boaſters, the Whigs, are in ſearch of liberty, juſt as Herod was of Chriſt, to " cruſh it in its infancy, and have all to themſelves.

" Yours, &c. &c.

October 28th, 1749. " C. O'CONNOR."

It is obſervable, notwithſtanding Harris's menaces, that the moſt objectionable paſſage in the counter-appeal is this: " Can it at this time of day be a matter of doubt whether we Iriſh have a " right to the laws and conſtitution of our fathers, or are we to live ſubject to the dictates of an " incompatible legiſlation?"

The bugbear of Jacobitiſm, which was ſo ſucceſsfully played in theſe bigoted times, rendered all publications favorable to Roman Catholics very dangerous to their authors; any thing that could tend to ſoften the rigor of the penal code was highly alarming, and every poſſible ſtep was taken to prevent the governing party's granting the ſmalleſt degree of toleration to their Catholic countrymen.

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to Mr. Lucas, then the popular idol of ſuch of the nation, as took the livelieſt concern in the politics of that day.

Mr. Charles Lucas had ſome years before attracted the notice of his fellow citizens by the ſtrong powers of his mind, and the independent firmneſs of his public ſpirit: he had been ſome time before admitted to the public council. Here he reſolved to exert himſelf in behalf of their privileges. The new rules framed in the reign of Charles the Second, by authority from a clauſe in the act of explanation, had, as in other corporate towns, changed the powers of the city corporation. To encreaſe the influence of the crown, among other innovations, they deprived the commons of the power of chooſing the city magiſtrates, and placed it in the Board of Aldermen, ſubject in its exerciſe on each election to the approbation of the chief governor, and privy council. Of this injury Lucas loudly complained: but the law being abſolute, could not be combated. Suſpecting, however, that in other reſpects encroachments had been made on the rights of the citizens not juſtified by law, he examined the city charters, and ſearched diligently into the ancient records, by which he became convinced that his apprehenſions were well founded. He publiſhed his diſcoveries, explained the evidence reſulting from them, and encouraged the people to take the proper ſteps for obtaining redreſs. In conſequence, a warm conteſt commenced betwixt the commons and aldermen in 1741, which continued the two ſucceeding years. Though the former ſtruggled in vain to recover their loſt privileges, the exertions of Lucas in every ſtage of the diſpute, were ſtrenuous and perſevering. Theſe ſervices raiſed him ſo high in the eſteem and confidence of his fellow citizens, that on the death of Sir James Somme[illegible]ville, they encouraged him to declare himſelf a candiate to repreſent them in parliament. Ambitious of an office ſo flattering, which would give him an opportunity of exerting his abilities to the greateſt advantage in the ſervice not only of the city of Dublin, but of his country, he complied with their deſire. His ſpeeches to the ſeveral corporations on this occaſion, which were bold, nervous, and animated, in favor of liberty, encreaſed their attachment to him. But a number of addreſſes to his fellow citizens, which he wrote and publiſhed, tended more effectually to encreaſe his popularity. In theſe, among other ſubjects, he conſidered diſtinctly the ſeveral branches of the conſtitution; pointed out to the electors of Dublin, and to the nation the privileges of Iriſhmen, and the various injuries they had ſuſtained by the interference of the Britiſh legiſ-

lature.

lature. The firmneſs and perſpicuity of his manner, the popularity of his ſubject, and (perhaps) the juſtice of his arguments, alarmed the Iriſh government, which had been little uſed to ſuch oppoſition. They determined to cruſh him by the hand of power.* For this purpoſe, certain paſſages the moſt obnoxious to the ſtate, were collected from his publications, and made the foundation of a charge which was brought againſt him before parliament. The rights of the commons, which with particular attention he had laboured to vindicate and aſcertain, had been one of the ſubjects of his free diſcuſſion. Inſtead of protecting him in reward of this ſervice, and of his exertions in behalf of Ireland, the majority of that houſe liſtened to the charge, voted him an enemy to his country, and addreſſed the lord lieutenant to order him to be proſecuted by his majeſty's attorney general. The hand of power was too prevailing: the favor of the public was not ſufficient to defend him from the danger, by which he was threatened; therefore to avoid the impending ſtorm, Mr. Lucas fled from Ireland. After he had ſpent ſome time in baniſhment, the turn of fortune placed him once more in an honorable ſituation. The exertions of his friends roſe ſuperior to the influence, by which he had been oppreſſed. Upon a new vacancy, he returned to Dublin, and was elected one of the repreſentatives of that city in parliament. The ſame patriotic principles, and the ſame exertions in behalf of the conſtitution, for which he had been hitherto ſo remarkable, invariably diſtinguiſhed his conduct in and out of parliament to the day of his death.

The ſpirit of civil freedom and conſtitutional independence had now become ſo prevalent in Ireland, [illegible]he Engliſh intereſt could no longer be kept up and carried on with that [illegible]ematic and uncontrouled eaſe, with which it had been managed by Primate Boulter. Upon the death of Primate Hoadley who had ſucceeded Boulter in 1747, the perſon to whom this intereſt was committed was George Stone, then biſhop of Derry, who on ſeveral occaſions had ſignalized himſelf by a moſt determined oppoſition to the *Iriſh intereſt:* immediately upon his tranſlation to the See of Armagh, he was put at the head of the commiſſion, with the chancellor and ſpeaker, as lords juſtices. This prelate was a man of talent, of a lofty and arrogant diſpoſition; reſolute

* Without troubling the reader with any of Mr. Lucas's writings or arguments, it may not be unfair to refer him to his general profeſſion of political faith, by which he committed himſelf in his Addreſs to the Earl of Harrington, on the 3d of October, 1749, which is to be ſeen in the Appendix, No. LVII.

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and determined; and a thorough-paced courtier: he was wholly devoted to politics; and little attentive to his paſtoral duties.* At the head of thoſe, who

* The confuſion of the ſpiritual and temporal powers muſt ever be attended with diſadvantages to both. The prelate when in the cabinet, is as much out of his element, as the ſtateſman in the pulpit. Primate Stone was laviſh of favors to his creatures, and had therefore many ſupporters: but he was too haughty and dictatorial not to have many enemies. He was a man rather of mean birth: his grandfather had been gaoler at Wincheſter: and his perquiſites in that ſituation had enabled his ſon, the primate's father, to become a banker: he was a non-juror, and his chief cuſtomers were the Jacobites. He was in the flower of youth when promoted to the primacy; a ſtation to which none before him had been raiſed till in the decline of life. His perſon was uncommonly handſome; which procured him the appellation of *the beauty of Holineſs*. It is not to be wondered at, that the rapid progreſs of this young eccleſiaſtic, through the dignities of his order, and who was now at the head of the church as well as of the ſtate, ſhould raiſe hatred and favor to an extraordinary degree. He was inordinate in his ambition, intemperate in his paſſions, and inexorable in his reſentments. Like his predeceſſor Boulter, he was inveſted with the arduous charge of marſhalling the *Engliſh intereſt*, or as the more ſpecious phraſe then was of *doing the king's* (but in fact the miniſter's) *buſineſs*. His entertainments and connections were ſuited to his youth; and however conducive he might render them to his ruling paſſion of ambition, they had all the attractions of the moſt voluptuous refinement. His courteſy, affability, and hoſpitality gained him many abettors in a country where thoſe qualities are ſupereminently appreciated: and it is admitted on all hands, that his efforts to gain proſelytes in parliament were indefatigable. Yet with all theſe advantages of nature and power, the number of his enemies is a ſtrong preſumption, that the charges of his enemies were not altogether groundleſs. For the honor of the Engliſh nation, of humanity and religion, I forbear to retail his enemies' account of his conduct. I take the leſs invidious ſide of the queſtion, and ſubmit his defence to the reader from an avowed encomiaſt, publiſhed in London, 1757, ſeven years before his death, which happened in 1765, when he was ſucceeded in the primacy by Dr. Robinſon, afterwards created Lord Rokeby. (*Letter to the Duke of Bedford, p.* 12.) Speaking of a ſtrong opponent of the primate's, the letter writer ſays: "Know-
" ing, perhaps not intirely from his own experience, of what conſequence the character of in-
" tegrity and virtue is even to a ſtateſman, he with great induſtry and ſecrecy ſpread about miſ-
" repreſentations of the primate, as a man devoid of all principles of religion and honor; as a
" monſter ſwayed by unnatural appetites. To the firſt of theſe charges, it muſt be confeſſed, the
" primate gave ſome countenance, by a conduct a little too free for a perſon at the head of the
" eccleſiaſtical body. Having had a liberal education himſelf, and having always lived with thoſe
" who had, he could not confine himſelf within the narrow ſphere of his profeſſion. There was
" more foundation for the ſecond than for any other part of the charge. He was not always as
" cautious in his promiſes as prudence required. Even when he did not promiſe, his anſwers,
" from a fear of offending, and a deſire of uniting every body to him, were expreſſed in ſuch a
" manner, as drew in the perſons, to whom they were given, to gueſs at more than he meaned.
" A practice often uſed by ſtateſmen, but which ſeems as little agreeable to good policy, as it is to
" morality. Hence every body left him contented and aſſured of his friendſhip, receiving all his

" expreſſions

who oppoſed him, was his colleague in the commiſſion Mr. Boyle the ſpeaker of the Houſe of Commons. The late Lord Clare has left us too faithful a portrait of this prelate, and has brought the conſequences of his and the Britiſh cabinet's conduct in Ireland, to too cloſe a bearing upon the Union, not to ſubmit it to the reader in his own words.

* " After the treaty of Aix-la-Chappelle, the trade of this country had ſo " encreaſed, that the hereditary revenue was amply ſufficient for every pub- " lic ſervice, and a conſiderable ſurplus remained in the exchequer, after " defraying every charge upon it; ſo that in effect the crown was little, if " at all dependant on parliament for ſupport: and it is difficult to ſay how " long this oligarchy might have kept its ground, if the intrigues of the am- " bitious eccleſiaſtic, then at the head of the Iriſh church, had not laid the " foundation of party heat and animoſities, which have long diſturbed and " degraded our parliamentary proceedings. The great trial of ſtrength be- " tween the primate and the then ſpeaker of the Houſe of Commons was " made in 1753, when a bill was propoſed for applying the ſurplus then " in the exchequer to pay a public debt, which had been ſome time be- " fore contracted. The courtiers of that day ranged under the eccleſiaſtical " banner, contended that this ſurplus belonged to the crown; and, there- " fore, that the king's previous aſſent to its application ought to be ſignified " before the commons could appropriate it. The patriots,† ranged under the

" expreſſions of kindneſs as ſo many abſolute promiſes of what they ſolicited. It is not then very " extraordinary that he ſhould be charged with many breaches of faith, and that the truth of thoſe " aſperſions on this head, with which he was ſo frequently beſpattered, ſhould be atteſted by many. " To the laſt abominable charge his virtue gave riſe. Whether from a coldneſs in his conſtitution, " or what is more probable, out of reſpect to his eccleſiaſtical function, he totally abſtained from " women. It was impoſſible, in a country which piques itſelf upon indiſpenſable attachments to " the fair ſex, that this ſhould not be taken notice of, and become a general topic of converſation. " His enemies laid hold of this opportunity to blacken his character, with the imputation of a vice, " the more eaſily credited, by how much the more abominable; and to which ſome of his connec- " tions, for which people could not eaſily account, did not a little contribute."

* Speech, on the 10th of February, 1800, p. 27.

† True it is, that a very numerous party at this time ranged themſelves under the appellation of patriots, but it follows not, that the views of many of them were truly patriotic: but as a ſtandard of patriotiſm was then erected, and the victory was to be gained by numbers, it will readily be admitted, that too ſcrupulous a teſt of ſincerity was not required of thoſe, who offered to enliſt under the banners of either party. Thus too frequently, alas, are private and miſchievous projects effected under

" the ſpeaker's banner, inſiſted that no ſuch aſſent was neceſſary, and beat " their political adverſaries by a ſmall majority. Heads of a bill for the ap- " propriation paſſed the commons without taking notice of the king's pre- " vious aſſent to it. They were rejected by the crown, and the ſurplus was " applied by the royal authority, without the intervention of parliament. " But the commons took effectual care, that the queſtion ſhould not occur a " ſecond time, by appropriating every future ſurplus to their private uſe, " under the ſpecious pretence of local public improvements. Wind-mills " and water-mills, and canals, and bridges, and ſpinning jennies, were pro- " vided at the public expence; and the parliamentary patrons of theſe great " national objects were entruſted with full diſcretionary powers over the " money granted to complete them. From this ſyſtem of local improvement, " a double advantage aroſe to the Iriſh ariſtocracy: it kept their followers " ſteady in the ranks, and by reducing the crown to the neceſſity of calling " for the ſupplies, made the political ſervices of the leaders neceſſary for the " ſupport of the king's government. But the precedent was fatal, and a " ſyſtem has gradually been built upon it, which would beat down the moſt " powerful nation of the earth."

As one of the prominent objects of the Union was to remove the poſſibility of that mal-adminiſtration of the Iriſh government, which the noble earl ſaid *would beat down the moſt powerful nation of the earth*, it will be neceſſary to

under the diſguiſe of patriotiſm: whence the very term has latterly loſt its real, and acquired equivocal import. There is no queſtion but that a certain party, whether they be termed an *oppoſition, antiminiſterial, country party* or *patriots*, had acquired ſuch an aſcendancy in the Houſe of Commons, that government could no longer enſure a queſtion againſt them. The primate had kept on terms with many of them; but the management of the king's buſineſs under ſuch checks was incompatible with the uncontrolable ſpirit of that prelate: he withdrew the maſk, and openly avowed his intentions of carrying every meaſure of the Britiſh cabinet, which he ſpecioufly termed the *king's buſineſs*, with a high hand, in ſpite of all oppoſition. Open war was proclaimed between the contending parties, and a ſtandard was erected by this aſpiring prelate, to which all who expected preferment in church or ſtate, or who were diſſatisfied with their own party, were invited to reſort. From ſubſequent events, the reports of certain diſappointments amongſt the patriots in their negociations with the primate appear not to have been altogether groundleſs. Thus the blunt refuſal of a reverſionary grant of the Maſterſhip of the Rolls to Mr. Carter's ſon, drove the father into a moſt determined and vindictive oppoſition. The primate, from the age and infirmity of Mr. Carter, conſidered the reverſion of that lucrative employment much nearer than it fell in; for the maſter of the rolls lived to ſee the ſucceſs of his oppoſition to the primate end in that prelate's diſgrace and confuſion, though he did not ſucceed in his own private views.

enter more fully into the grounds of that oppoſition, which the patriots then made againſt the *Engliſh intereſt.* It had been the invariable uſage, as it was the inherent duty of the commons, ſince the Revolution, to ſuperintend the expenditure of the annual ſupplies which they raiſed; in order if there ſhould be a deficiency, that they might ſupply it; if a ſurplus, that they might apply it to the credit of the nation: and the received notion was, that they had a right to diſpoſe of ſuch ſurplus of the revenue, without the conſent of the ſovereign: accordingly in the year 1749 they prepared a bill with the following preamble: "Whereas on the 25th of March laſt a conſiderable "balance remained in the hands of the vice-treaſurers or receivers general "of the kingdom, or their deputy or deputies, unapplied; and it will be for "your majeſty's ſervice, and for the eaſe of your faithful ſubjects in this "kingdom, that ſo much thereof as can be conveniently ſpared ſhould "be paid, agreeably to your majeſty's moſt gracious intentions, in diſcharge "of part of the national debt." This aſſumption of right in the Iriſh commons to apply the unappropriated ſurplus of the revenue without the previous and expreſs conſent of the crown, gave great offence to the Britiſh cabinet, which in tenderneſs to the royal prerogative inſtructed the Duke of Dorſet, who had returned lord lieutenant to Ireland in 1751, to aſſure the parliament, * that he was commanded by the king to acquaint them, that his majeſty, ever attentive to the eaſe and happineſs of his ſubjects, would graciouſly conſent and recommend it to them, that ſuch a part of the money then remaining in his treaſury, as ſhould be thought conſiſtent with the public ſervice, ſhould be applied towards the further reduction of the national debt. This declaration, although it fell in with their intention of appropriating the ſurplus, yet alarmed the commons as a reflex attempt upon their privileges: accordingly in their addreſs of thanks, which is uſually a mere echo of the king's ſpeech, they omitted to notice in any manner this conſent of the crown; and they acknowledged, generally, his majeſty's attention to their eaſe and happineſs, in recommending the application of the ſurplus. In conſequence of this, they reſolved to apply 120,000l. of that ſurplus towards diſcharging the national debt: and in the preamble of the bill framed for this purpoſe they made no mention of his majeſty's conſent; which ſtudied omiſſion was extremely reſented by the Engliſh miniſtry, as an intended and

* 5 Journ. Com. p. 91.

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overt attack upon the prerogative. The bill was ſent back amended in the preamble by an inſertion of his majeſty's conſent, as well as his recommendation. The Houſe of Commons had then been for ſome time deeply engaged in a moſt important inveſtigation of the embezzlement and miſapplication of public money, by Mr. Nevil, one of their own houſe, ſurveyor and engineer general, who was found guilty of the groſſeſt peculation, embezzlement and fraud in his management of, and contracts for the barracks.* Such abuſes of public truſts had been long complained of, and much longer felt by the Iriſh nation: but till the patriots of that day had acquired ſufficient ſtrength to raiſe an effectual oppoſition to the abuſes of the Anglo-Iriſh government, all addreſſes, remonſtrances, and efforts for redreſs had (as uſually is the caſe) but aggravated the evil, whilſt the ſtate delinquents were ſhielded by that factitious majority in parliament, which it was the boaſted policy of thoſe times to ſupport, under the appellation of an *Engliſh intereſt*. An inſult and injury to Ireland which the Union can alone effectually repair. As this public attack upon a ſervant of the crown for groſs abuſe of public truſt was the firſt effort of this nature, which ſeemed to promiſe ſucceſs from the daily accumulating ſtrength of the patriots and the glaring notoriety of the charges, the commons were unwilling to embroil themſelves further with government, until they had enſured this firſt victory. They therefore paſſed the bill with the alteration, without even debating the queſtion. Having ſucceeded in convicting the ſurveyor and engineer general of miſapplying the public money and abuſing the public truſt, and ordering by a reſolution of their houſe, that at his own expence,† and without any further charge to the public, he ſhould render the barracks fit for the reception of the troops, they now reſerved themſelves to make head againſt this encroachment of the crown upon their own privileges and uncontrolable right of raiſing and applying the ſurplus of the nation.

The Duke of Dorſet was ſent a ſecond time to aſſume the government of Ireland, in the full expectation, that the popularity he had gained in his firſt adminiſtration, would have been ſucceſsfully employed in ſtemming the progreſs of patriotiſm, which not perhaps ſo much from its intrinſic merits, as from the popularity of Lucas, and the diſgrace and puniſhment of Nevil,

* For the different reports and reſolutions againſt him vide 5 Com. Journ. paſſim.

† Mr. Nevil was afterwards expelled the houſe, and his name ordered to be expelled out of the liſt. 5 Journ. Com. p. 165.

had

had become highly alarming to the Engliſh cabinet. The fate of that lord lieutenant, is an important leſſon to the ſtateſman, of the evil and diſgrace of proſtituting principle to place and favor. That nobleman was remarkable for his ſuavity of manners, and when formerly governor, had manifeſted ſuch moderation, prudence, and caution, that nearly bordered upon timidity. He had no perſonal enemy, and was really friendly to the welfare and proſperity of Ireland. Upon his firſt arrival, he was received by all degrees and ranks of men, with all the marks of joy and gratitude, that could be manifeſted by thoſe, who had experienced the goodneſs and mildneſs of his former adminiſtration, and who had long regretted his abſence. The change of the public diſpoſition towards his grace was as ſudden, as his devotion to the *Engliſh intereſt* was determined. Primate Stone, to whoſe nod the whole Iriſh government moved, was execrated in the country for the deteſtable vices he was charged with: and Lord George Sackville the lieutenant's ſon, the ſecretary, gave general offence to the nation by the loftineſs of his carriage: he was diſdainful and impetuous: and though eloquent was often petulant and generally ſarcaſtic in his language. The patriots complained loudly, that under theſe two, namely, an Engliſh archbiſhop, (no very ſtaunch model of morality or virtue) and a young ſupercilious boy, giddy and intoxicated with power, the Iriſh nation was governed without controul.* The duke was conſidered as the mere paſſive tool of government; though he had no enemies to his perſon, he now found a hoſt againſt his government.

When in 1753, the Duke of Dorſet opened the ſeſſion, he again informed

* How general the national hatred of the ſecretary and the primate was, appears from ſome of the ſtanding toaſts at that time uſed at the convivial meetings of the patriots: *May all Secretary Baſhaws and lordly High Prieſts, be kept to their tackle, the ſword and the Bible. And may the importation of Ganymedes be diſcontinued in Ireland.* Theſe fixed public expreſſions of the ſenſe of a party, prove not the truth but the prevalence of certain opinions, under which they acted. In a country where the vice of drinking has at all times been prevalent, and is the occupation of a principal part of the day, theſe convivial hours were naturally rendered ſubſervient to the political purpoſes, which generally brought the parties together. Mr. Carter, the maſter of the rolls, was eminent for his perſeverance at the bottle, and keeping the table in a roar of laughter by his archneſs, vivacity, and wit. To him indeed was aſcribed the facetious device of ſyſtematically conveying point and ſatyre in toaſts, which afterwards gained circulation through the newſpapers, and found their way to the heart by being frequently repeated in the effervescence of hilarity and heat of intemperance. Thus did the moſt pointed apophthegms of politics, unite the company and ſharpen the wit and malice of individuals againſt their common enemy.

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the commons, that he was commanded by his majeſty to inform them, that he would graciouſly conſent and recommend it to them, that ſo much of the money remaining in his treaſury, as ſhould be neceſſary, ſhould be applied to the diſcharge of the national debt, or to ſuch part thereof as they ſhould think expedient.* They again omitted the word *conſent* out of their addreſs, and reſolved, in their bill of application, not only to ſink this odious term, but likewiſe to abate in their complaiſance to the crown, by leaving out the expreſſion of grateful acknowledgement, which had met with ſuch a cold reception above. By this time the conteſt had kindled up two violent factions, and diffuſed a general ſpirit of reſentment through the whole Iriſh nation. The committee, who prepared the bill, inſtead of inſerting the uſual compliments in the preamble, mentioned nothing but a recital of facts, and ſent it over in a plain dreſs, quite deſtitute of all embroidery.† The miniſtry, intent

* 5 Journ. Com. p. 167.

† The primate upon this occaſion, ſummoned a few of his moſt intimate friends, to conſult what ſtep ſhould be taken. The only doubt was, whether an amendment on theſe heads of a bill, ſhould be propoſed to the houſe upon the report, or whether they ſhould be permitted to paſs in the ſhape they were brought in, and the alteration of them left to be made in England: the latter of theſe methods was reſolved on, and followed up on this reaſoning: if the bill when altered in England, ſhould upon its return be paſſed by the commons, the patriots muſt inevitably loſe their intereſt with the people: if they ſhould oppoſe it, that would be a good pretence to deprive them of their employments, which they held at the will of the crown, and of which the primate hoped to have the diſpoſal. To make the game more ſecure, and to engage the crown more deeply in the conteſt, a letter was procured to accompany the bill to the privy council, ſigned by moſt of the officers of ſtate in Great Britain, declaring, that it was a point of prerogative, from whence his majeſty would never depart. As councils too ſubtil often produce contrary and unthought of ends, ſo this, though it had the immediate effects, which had been foreſeen, yet in the end it produced very different conſequences from what he who gave it expected. The bill was rejected in the commons by a majority of five, in conſequence of which, ſeveral of the principal members of the patriots were immediately removed from their employments: at theſe violent proceedings the whole nation took fire. The degraded members of the patriots exalted by their diſgrace, became the idols of the people, and were worſhipped as Martyrs for the liberties of their country. In this temper it was hazardous to let the commons, who had been adjourned for a few days, meet. The parliament was ſuddenly prorogued, and ſeveral bills equally neceſſary to the crown as to the ſubject, fell to the ground. The primate who was conſidered as the author of all theſe meaſures, deſpairing to gain the affections of the people, determined to awe them into ſubmiſſion by others ſtill more violent: he urged the Duke of Dorſet to remove from their employments not only all, who oppoſed him, but thoſe, whom

intent upon vindicating the prerogative from ſuch an unmannerly attack, filled up the omiſſions of the committee, and ſent it back with this alteration: " and your majeſty, ever attentive to the eaſe and happineſs of your faithful " ſubjects, has been graciouſly pleaſed to ſignify that *you would conſent*, to " recommend it to us, that ſo much of the money remaining in your ma- " jeſty's treaſury, as ſhould be neceſſary, be applied to the diſcharge of the " national debt, or ſuch part thereof, as ſhould be thought expedient by " parliament." This, then being the criſis, which was to determine a conſtitutional point of ſuch importance, namely, whether the people in parliament aſſembled, had a right to deliberate upon, and vote the application of any part of the unappropriated revenue, without the previous conſent of the crown; thoſe who were the moſt zealouſly attached to the liberties of their country reſolved to exert themſelves in oppoſing what they conceived to be a violation of their liberties; and the bill, with alterations, was rejected by a majority of five voices. The ſucceſs of their endeavours was celebrated with the moſt extravagant rejoicings, as a triumph of patriotiſm over the arts of miniſterial corruption, and on the other hand, all the ſervants of the crown, who had joined the popular cry, on this occaſion, were in a little time diſmiſſed from their employments. The rejection of the bill was a great diſappointment to the creditors of the public, and the circulation of caſh was almoſt ſtagnated.

In this conteſt for conſtitutional rights, the Earl of Kildare was promi-

whom he ſuſpected to have any connection with the oppoſite party. But the duke had not the courage or vigor of mind, equal to ſuch an undertaking. He dreaded the tumults of the people; every ſhout of the mob threw him into panics; and this being known, they never let him reſt a moment. However for the preſent to rid himſelf of importunities, he promiſed the primate, that upon his return to England, which he wiſhed for with the utmoſt impatience, he would do every thing he could deſire. The Duke of Dorſet ſoon after this, under the protection of the guards and of a mob hired and made drunk for the purpoſe, by a man who was amply rewarded for that ſervice by a penſion on the public eſtabliſhment, made his eſcape out of that kingdom. The primate, who was continued in the government, employed every expedient of menaces and promiſes to break the party. Threats could not terrify thoſe, who had ſo bold an example ſet before them by their leaders, and who were ſecure of the protection of the people. Rewards would not ſeduce thoſe, who foreſaw the downfall of the primate, and were made to expect much greater, and more permanent rewards from the exaltation of the patriots, which they now looked upon as certain. But what principally kept men ſteady, was the diſgrace of becoming apoſtates from thoſe principles, which they had before conſidered with a kind of religious reverence.

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nently conſpicuous: he as well as the moſt conſiderable men of fortune in Ireland, that were not under ſome ſpecial tie or obligation to government, ſided with the patriots. It was, notwithſtanding, moſt induſtriouſly circulated from the caſtle, both in print and otherwiſe, that the majority of the Houſe of Commons of Ireland was a *Popiſh and Jacobite* party, that was endeavouring to deſtroy the royal prerogatives, in order to pave the way to his majeſty's expulſion from the throne: and ſuch undoubtedly were they repreſented to the king and the miniſtry in England. Under theſe circumſtances, the Earl of Kildare preſented with his own hand a moſt ſpirited memorial* to the king, in which, after referring to the hereditary loyalty of his family from the days of Henry II. he aſſured his majeſty, that he was the rather induced to lay that memorial at his feet, as it was on good preſumption ſurmiſed, that all acceſs to his royal ear was ſhut up, and his liege ſubjects debarred the liberty of complaining: that as no notice had been taken of ſeveral remonſtrances lately made by his majeſty's liege ſubjects, it was humbly preſumed, that ſuch remonſtrances had been ſtopped and debarred in their progreſs to the royal ear: that he ventured on that bold ſtep at the requeſt of thouſands: that in general the face of his loyal kingdom of Ireland wore diſcontent: a diſcontent not colored from caprice or faction, but purely founded on miniſterial miſapplication. This ſtrong, though neceſſary meaſure of the Earl of Kildare gave great offence and ſome alarm to the Britiſh cabinet, though they affected to treat it as an act of folly and temerity, which nothing but the extreme mildneſs of government would permit to paſs unpuniſhed.†

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* Vide the memorial in the Appendix, No. LVIII.

† This appears from a letter written by the Earl of Holderneſs to the Chancellor of Ireland.

My good Lord Chancellor,

I AM not a little concerned that the noble Earl of Kildare ſhould take ſo bold a ſtep as he may repent hereafter, and do aſſure you that I think he has not ſhewn himſelf a perſon of diſcretion, be the act never ſo popular.

He was but ill received, and very coolly diſmiſſed, as indeed the preſumption well merited; for why ſhould his majeſty receive any remonſtrances concerning his kingdom or government, but from the proper miniſters, or through the uſual channel, viz. both houſes in parliament. I deſire my compliments may attend his grace the Lord Primate, and wiſh him ſucceſs in all laudable endeavours for poor Ireland.

I am

Your excellency's moſt obedient ſervant,

HOLDERNESS.

The diſtreſſed and embarraſſed ſituation of his country rouzed the patriot attention of that illuſtrious nobleman, who truly reflected honor on nobility: his intrepidity ſuggeſted the reſolution of awakening the guardian care of *the father of his country*, by becoming a perſonal advocate for his people, pointing out their grievances, and the ſource of them, and opening again the channel of communication, after its natural current had been obſtructed, on which the very life and being of public happineſs eſſentially depend. If it were without a precedent, ſo was the occaſion, that made it neceſſary. The good of his country was at once its motive and its juſtification; and the rage and violence it excited evinced how great and unexpected a ſhock it was to the *Engliſh intereſt*. It did not however loſe its effect upon the king. The popular clamor became ſo loud, that government was terrified into meaſures, to which every man will apply a quality according to his own political conceptions. The ſpeaker of the Houſe of Commons was promoted to the dignity of an earl*: and ſeveral other patriots accepted of lucrative employments.

Another letter upon the ſame ſubject came to light about the ſame time, written by the Duke of Dorſet to Primate Stone, viz.

Touching the Earl of Kildare's memorial preſented to the king my maſter, it has neither ſerved him, nor injured us. It is looked upon, as it juſtly deſerves to be, an act of preſumption, and a ſtep of faction. In a leſs mild adminiſtration, and under a reign leſs merciful, it would have proved an act full of danger.

If the ſubjects of Ireland were diſcontented with the meaſures of government, was not the privy council open to receive the complaints? were not your excellencies acceſſible to complaints of grievances? but for one man, becauſe the firſt peer of the realm, to take the kingdom's diſtreſſes on his ſhoulders, and like another Hercules, to put his ſhoulders to the government, in which he had neither place nor concern, was ſure unworthy of his prudence, if he had any. I am nor for hot water, my deſign is pacific, and tending to the public good,

I am,

Your lordſhip's friend,

DORSET.

* Viz. Of Shannon: he had alſo a penſion of 2000*l.* per ann. for 31 years. There was much intrigue in bringing about theſe changes in Ireland. The Primate was over-reached by his own inſincerity and ambition. He had promiſed the ſame appointments to ſeveral with the intent of diſappointing each. He entered into a cloſe connection with the Earl of Beſborough, who had long wiſhed, but had been baffled by the patriots, in ſetting up an independent intereſt in the commons: his particular view was to place his ſon Mr. Ponſonby, in the chair. In this union of the Primate with the Earl of Beſborough, the principles of each were, that the earl thinking the primate to be more attentive to power than to riches, fed himſelf with the hopes of drawing the profits

ments. Primate Stone, who had been the chief fomenter of the late diſturbances, was by his majeſty's command ſtrucken off the liſt of privy counſellors

profits to himſelf: the primate, inordinately ambitious, made no doubt of governing the youthful ſpeaker, and ſo bringing the whole power of the ſtate into his own hands. Deſpairing of the ſpeaker's removal, the Primate endeavoured to force him to a reſignation by rendering his ſituation uneaſy: this alſo failed, and made him rally his friends in his own ſupport, which raiſed him above the efforts of his enemies to diſplace him. The ſpeaker in fact was a deeper politician than the primate. The ſimplicity and unaffected eaſe of his addreſs and a natural politeneſs of manner rendered him amiable even to his opponents. In appearance he was moſt open, in reality moſt reſerved: he had the art of extracting the ſecrets of others, and of preſerving his own without any ſhew of art or conſtraint. He had been raiſed to the chair and ſupported in it by the people, at leaſt without the aſſiſtance, if not in oppoſition to the government. He had ſhewn much firmneſs in reſiſting attacks upon him in carrying matters through the houſe, and had had the uncommon addreſs of preſerving his popularity even in ſupporting unpopular acts. The Engliſh cabinet alarmed at the diſturbances in Ireland reſolved to ſacrifice the Duke of Dorſet to their fears; and his ſucceſſor, Lord Hartington, was appointed through the means of Mr. Fox (afterwards Lord Holland) then ſecretary of ſtate, who was known to be in the cloſeſt union with the Earl of Kildare. The ſagacity and experience of the Earl of Beſborough led him to foreſee the approaching downfall of the primate, and to avail himſelf of the advantages of his ſituation whilſt he could keep it: ſo that to the very cloſe of this prelate's career of power, all the new appointments were made with their joint aſſent. Nothing could be more favorable to the political views of this earl, than the appointment of the new lord lieutenant; through him he hoped to reconcile himſelf to the patriots, whom he had greatly offended by his coalition with the primate; and through them he expected to place his ſon in the chair of the Houſe of Commons. Before the new lord lieutenant had arrived in Ireland, a ſecret treaty was entered into between him and the two leading patriots (Mr. Malone and the ſpeaker) through the Earl of Kildare: and to this treaty the Earl of Beſborough was not only admitted but conſenting. The new lord lieutenant immediately upon his arrival expreſſed the moſt gracious favor to all thoſe, who had moſt violently oppoſed his predeceſſor: and the conduct of the whole adminiſtration appeared for ſome time myſterious. The patriots talked loudly of impeachments and expulſions; and the primate, whoſe chief ſupporters were placemen and penſioners, found himſelf neceſſitated to adopt all the meaſures of the lord lieutenant, which he did with more zeal, than ſome thought either neceſſary or prudent. Each party for obvious reaſons appeared fearful of oppoſition. The primate was intimidated out of the violent meaſures, which his imperious and vindictive nature prompted him to: and the patriots naturally held back, till their new arrangements were announced. Beſides the promotion of Mr. Boyle to the Earldom of Shannon, Mr. Ponſonby was elected ſpeaker without oppoſition; Mr. Malone was to ſucceed Mr. Boyle in the chancellorſhip of the exchequer; Mr. Carter having been induced to accept of the ſecretaryſhip; but the outcry of the people againſt him, and particularly of his own connections, forced him to decline it. This however turned to his advantage, for Mr. Boyle (then Earl of Shannon) continued in the office, and Mr. Malone received the profits. This did not reſtore Mr. Malone to the

lors, and moſt of thoſe, who, by his intrigues had been diſplaced for voting for the money bill, were reinſtated with honor. The Marquis of Hartington, afterwards Duke of Devonſhire, went over as lord lieutenant: upon his return to England in 1756, Lord Chancellor Jocelyn and the Earls of Kildare and Beſborough were appointed lords juſtices. Much of the popular ferment now ſubſided, and the kingdom once more reſumed the appearance of tranquillity.

Loud as was the cry of patriotiſm, firm as was the ſtand made by the patriots of 1753 againſt the encroachments of an Engliſh intereſt, and ſtrengthened as were ſuppoſed to be the conſtitutional principles of civil liberty by the late appointments, yet lamentable is it to reflect, that when the boaſted purity of theſe very patriots was called into action by ſome of the few *ſincere* ſupporters of the party, the majority of them became as recreant from the cauſe of civil freedom and legiſlative independence as the moſt venal proſtitute to ſyſtematic corruption. On the 17th of March, 1756, the Houſe of

favor of the people, though it ſuſpended their reſentment againſt him. Mr. Stannard, a man in high favor with the people, had been induced to undergo the odium of ſucceeding Mr. Malone as prime ſerjeant, by being told that his majeſty had himſelf nominated him to that office, and had begged that he would accept of it *to oblige him*. It was now too late in the ſeſſion to form a party to make head againſt the united force of ſo many chiefs; yet many ſymptoms appeared of growing diſcontents: ſome ſharp things were thrown out againſt the lord lieutenant; alarmed at the ſymptoms of a riſing ſtorm, he reſolved to leave no time for miſchief, and abruptly put an end to the ſeſſion at the moment it was expected, that the commons were about to paſs a reſolution to vindicate the honor of the nation.

The patriots had the ſupport of the whole body of the Preſbyterians, from their natural antipathy to prelacy, not only in order to oppoſe the influence of the primate, but alſo to cruſh the unnatural aſcendancy of an Engliſh intereſt in Ireland. And ſuch of the Catholics as took an active concern in the politics of the day ſided alſo with them through the influence of Mr. Malone, who was the moſt reſpected and moſt entruſted by their body of any perſon in that kingdom. He moderated their councils, and had publicly ſupported their intereſt, whenever occaſion required it. This ſpecies of coalition between the Diſſenters and the Roman Catholics gave unuſual alarm to the primate: in it he fully read the future triumph of the *Iriſh* over the *Engliſh* intereſt, by the union of the Iriſh people amongſt themſelves: and the Duke of Devonſhire, whoſe enlarged principles had overlooked the ſtinted monopoly of Engliſh power in Ireland, kept up ſo ſyſtematically by his predeceſſor, in his farewell ſpeech to the parliament, no longer confined his recommendations to an union, between Iriſh Proteſtants againſt the common enemy; but he (5 *Com. Journ. p.* 409.) *encouraged harmony and union amongst all his majeſty's faithful ſubjects*. The laudable views of the new changes and coalition were to engage the natural influence of Ireland in the cauſe of fair civil liberty upon true conſtitutional grounds.

Commons

Commons according to order reſolved itſelf into a committee of the whole houſe, to take into conſideration the heads of a moſt wholeſome bill to ſecure the freedom of parliament, by vacating the ſeats of ſuch members of the Houſe of Commons, as ſhould accept of any penſion or civil office of profit from the crown: and after ſome time ſpent therein, upon the report of progreſs, and motion for leave to ſit again on the next day, the houſe divided, 59 for the bill, and 85 againſt it. This was a fatal warning to the Iriſh nation, againſt the lubricity of their repreſentatives, whenever their private intereſt could interfere with the national welfare and proſperity.* The loſs of this truly patriotic queſtion too cloſely bears upon the general ſyſtem of governing that kingdom, not to enter more fully into the detail of that tranſaction in order to illuſtrate to the Iriſh nation the advantages, which the Union muſt neceſſarily bring with it, by aboliſhing that power, which had on ſo many occaſions ſacrificed the rights, welfare, and happineſs of the Iriſh nation to private lucre or Britiſh influence.

The patriots however rallied once more ſucceſsfully upon a moſt important queſtion, namely, whether the great repreſentative body of the nation ſhould be deprived of acceſs to the throne by any miniſterial influence, through which channel the petitions and grievances of the nation are moſt properly laid before the throne? The ſteadineſs and reſolution of the majority, who attended the buſineſs of their country on this occaſion, and particularly the firm zeal of Mr. John Ponſonby, the ſpeaker, cannot be over-rated. Like true and ſincere patriots, they immoveably ſupported the juſt prerogatives of the crown, the dignity and privileges of parliament, and the liberties and known rights of the people.

† Mr. John Bourke reported from the committee (appointed to inſpect the

* 3 Journ. Com. p. 38. On the day of this debate a liſt of the penſions granted upon the civil eſtabliſhment of Ireland was according to order given in to the houſe: it amounted to 44,393*l.* 15*s.* and is to be ſeen in the Appendix to that volume of the Journals CCXCVI. In this liſt of penſioners are to be read many of the firſt names of Ireland, many foreigners, few or no meritorious ſervants of the public; the Counteſs of Yarmouth ſtood upon it for 4000*l.* Mr. Bellingham Boyle had been added to it within twelve months for 800*l.* during pleaſure, and the Earl of Shannon cloſed it for 2000*l.* The conſtitution, by lodging the ſource of remuneration in the crown, evidently did it for the wiſe purpoſe of encouraging zeal and induſtry for the public ſervice: and the conſideration of the royal favor and grace ſhould always form a diſtinct column in the official ſchedules of ſuch grants.

† 6 Journ. Com. p. 21.

public

public accounts of the nation) the reſolutions, which the committee had directed him to report to the houſe, which he read in his place, and afterwards delivered in at the table, where the ſame were read, and are as follows:

Reſolved, That it is the opinion of this committee, that the ſeveral penſions and ſalaries placed upon the civil eſtabliſhment of this kingdom ſince the 23d of March 1755, amount to the annual ſum of twenty eight thouſand one hundred and three pounds.

Reſolved, That it is the opinion of this committee, that ſeveral of the ſaid penſions are granted to perſons who do not reſide in this kingdom.

Reſolved, That it is the opinion of this committee, that ſeveral of the ſaid penſions are granted for long and unuſual terms.

Reſolved, That it is the opinion of this committee, that the *liſt of* penſions returned as a charge upon this eſtabliſhment (excluſive of the military penſions) for two years, from the 25th of March 1755, to the 25th of March 1757, exceed the whole charges of the reſt of the civil liſt twenty two thouſand two hundred and fifty eight pounds, four ſhillings and ſeven pence three farthings.

Reſolved, That it is the opinion of this committee, that an improvident diſpoſition of the revenue is an injury to the crown and public.

To which reſolutions, the queſtions being ſeverally put, the houſe did agree *nemine contradicente.*

Reſolved, nemine contradicente, That the granting of penſions upon the civil eſtabliſhment of this kingdom to perſons who do not reſide in it, is a prejudice to it.

Reſolved, nemine contradicente, That the increaſe of civil penſions for many years paſt, is a grievance to the nation, and demands redreſs.

Reſolved, nemine contradicente, That the granting of penſions for a long term of years, is an alienation for ſo much of the public revenue, and an injury to the crown and this kingdom.

Reſolved, nemine contradicente, That the granting of ſo much of the public revenue in penſions, is an improvident diſpoſition of the revenue, an injury to the crown, and detrimental to the public.

Reſolved, That the houſe, with its ſpeaker, do attend his grace the lord lieutenant, with the ſaid reſolutions, and deſire his grace will be pleaſed to lay the ſame before his majeſty as the ſenſe of this houſe.

On the 9th, application was made to know when his grace the lord lieutenant would be attended in order to give an anſwer, when he would tranſmit the

the reſolutions to be laid before his majeſty, purſuant to the deſire of the houſe.

On the 11th, Mr. Secretary acquainted the houſe, that his grace would be attended the day following, at two of the clock.

The 12th, the houſe with Mr. Speaker attended the lord lieutenant, who was pleaſed to give them the following anſwer, viz.

" The matter contained in thoſe reſolutions is of ſo high a nature, that I " cannot ſuddenly determine whether it be proper for me to tranſmit them " to his majeſty." On the ſpeaker's return, the anſwer being reported, Mr. Secretary moved, that the ſame ſhould be entered in the journal of the houſe as explicit and ſatisfactory; and being debated, and the queſtion put, Mr. Secretary apprehending the majority againſt the motion, deſired leave to withdraw it, which prevented a diviſion at that time.

On the 14th, the houſe being met, a motion was made, that all orders, not proceeded on, ſhould be adjourned to the next day, the houſe not having received an anſwer from the lord lieutenant relative to tranſmitting the reſolutions of the Commons on the 1ſt of November, in reſpect to penſioners.

Here the grand debate aroſe, as thoſe who declared for the adjournment were for ſupporting the reſolutions, to have them laid before his majeſty, and thoſe who were for ſuppreſſing the reſolutions, and preventing national grievances being laid before the throne, were againſt the adjournment, the fate of which was, in fact, a determination of the main queſtion, which was of no leſs importance in its conſequences, than whether the people of Ireland were to be deprived of the parliamentary means of laying their grievances before the crown? and the queſtion being put, upon a diviſion, thoſe for the adjournment carried it by a majority of twenty-one voices.

In conſequence of the foregoing queſtion, on the 15th Mr. Secretary Rigby informed the houſe, that he was commanded by his grace the lord lieutenant to acquaint the houſe, that their reſolutions of the 1ſt of November ſhould be forthwith tranſmitted to his majeſty.

Had not this meſſage been delivered to the houſe, ſerious indeed might have been the conſequences; but the inſtant it was received the houſe proceeded to buſineſs; and the money bill, granting ſupplies to his majeſty, paſſed unanimouſly on the ſame day. * Happy would it have been for Ireland,

* As matter of hiſtorical curioſity a liſt of the gentlemen who divided upon theſe reſolutions is given in the Appendix, No. LIX.

had

had theſe reſolutions of the commons been acted up to, with the effect they certainly merited.

The Duke of Bedford was appointed to be lord lieutenant of Ireland in the year 1757: and it is fitting to remark, that he was the firſt chief governor of Ireland, ſince the revolution, who ventured to profeſs a favorable diſpoſition to the body of Catholics:* under his government did the firſt dawn of toleration break in upon that ſuffering people: ſo his adminiſtration muſt be allowed the credit of having reſtored ſuſpended animation to the members of that paralyzed body, which has ſince acquired ſuch health, vigor, and ſtrength of conſtitution under the benign reign of his preſent majeſty. Several Roman Catholic gentlemen had about that time devoted their thoughts to the moſt effectual means of removing from their ſhoulders ſome part at leaſt of the oppreſſion, under which they laboured. Heads of a regiſtery bill, prepared under the late adminiſtration of Ireland, which, had it paſſed, would have operated as a new and very ſevere penal law upon the Catholics, were handed about and created much alarm in that body.† Their fears drove them to conſultation, and conſultation animated them to action: a common ſenſe of the exiſting and fear of additional ſeverities taught them, that the ſureſt means of preventing freſh laws from being enacted would be to make ſome vigorous exertion for the repeal of thoſe, by which they were moſt galled. They held frequent meetings, in which there was much diverſity of opinion. It was natural, that long habits of ſuffering and the excluſion from all public concerns, ſhould diſqualify ſuch a body from acting in concert. They formed into two parties: one was headed by Lord Trimbleſton, the other by Doctor Fitzſimon. Although neither party could for a conſiderable time bring themſelves to agree to the expediency of addreſſes or appeals, they were both unanimous in adhering

* He was appointed lord lieutenant on the 25th of September, and had ſo early intimated this humane diſpoſition of government towards the Catholics, that within ten days, viz. on the 2d of October 1757, a form of exhortation was read from the altar by the Catholic clergy of Dublin, which noticed that ſome very honorable perſonages had encouraged them to hope for a mitigation of the penal laws. The whole is ſhort, but appropriate to the ſituation of their congregations, and is to be ſeen in the Appendix, No. LX.

† Mr. Charles O'Connor of Ballenagare, the celebrated Iriſh ſcholar and antiquarian, was one of the moſt active of the Catholics. His letter to Dr. Curry on this occaſion, which is to be ſeen in the Appendix, No. LXI, will let the reader into the ſpirit of the ſenſe and feeling of the gentlemen of that perſuaſion at that period of time.

to

to their ancient principles. Doctor O'Keefe, the titular biſhop of Kildare, propoſed to Lord Trimbleſton's meeting a declaration of the principles of their church, as far as they could bear upon their civil duties, to be ſigned by the chief of their body, and publiſhed as an anſwer to the miſrepreſentations and calumnies they had laboured under ſince the reformation of the national religion: the declaration was unanimouſly adopted; it was ſigned by many clergymen and gentlemen of rank and property, and ſent to Rome as the act and deed of the Catholics of his dioceſe.* This was the firſt public act of the Catholics for obtaining ſome relaxation from the penal laws. In this ſame year, however, Mr. O'Connor, Dr. Curry, and Mr. Wyſe of Waterford firſt thought of eſtabliſhing a Roman Catholic committee in Dublin, in order to be able to conduct the political concerns of the body with more order and effect near the ſeat of government; and their firſt meeting, at which only ſeven gentlemen attended, was holden at the Globe Tavern in Eſſex Street; and there Mr. Wyſe delivered in a written plan for their future proceedings.† Theſe movements of the Catholics awakened the

* This declaration is to be ſeen in the Appendix, No. LXI. And it will be hereafter remembered that it was the ſame as that of the Catholic committee of 1793, which Mr. George Ponſonby ſo highly commended in his ſpeech upon the Catholic queſtion.

† At this meeting were preſent Mr. O'Connor, Mr. Wyſe, Dr. Jennings, Mr. Anthony Macdermott, Mr. James Reynolds of Aſhe ſtreet, and one more. This propoſal which is ſtill in exiſtence in the hand writing of Mr. Wyſe is to be ſeen in the Appendix, No. LXII. The original is in the poſſeſſion of Mr. O'Connor's grandſon, together with a large collection of letters and papers relating to the affairs of the Roman Catholics of Ireland. The repreſentatives thus appointed adopted the meaſure propoſed to them by Doctor Curry and Mr. O'Connor, of employing the moſt leading literary men of the day to write in favor of Catholic claims, and among others, the celebrated Dr. Johnſon, who, as appears from G. Faulkner's letters, often ſpoke of the Roman Catholics as an oppreſſed and degraded people, for whom humanity loudly demanded that ſomething ſhould be done to elevate them to the dignity of human nature. There is a letter in the ſame collection from Faulkner to Dr. Jennings engaging him to write preſſingly to Mr. O'Connor to collect fifty guineas among his friends to ſend as a douceur to Dr. Johnſon, with an abſtract of the penal laws, and Mr. O'Connor's own writings on the ſubject. "I ſend the doctor my laſt javelin, (ſays Mr. O'Connor, ſpeaking of his "maxims in reply to Jennings) but I fear I have thrown it in vain; men in power will not be "convinced, there is an obſtinacy yoked with pride in this caſe, and a phantom of hatred ſtalks "behind to cement the league between them. I am glad however that I threw it, as Doctor Johnſon will ſee, that a negative on the plan relative to our waſte lands, will render our taſk-maſters "inexcuſable; it will ſhew that they perſecute merely for the ſake of perſecution, and that the "injury they do us in not granting us leaſes of the red bogs of Ireland falls ultimately on themſelves." Why Doctor Johnſon did not undertake the taſk propoſed in favor of the claims of the Iriſh Catholics, after having ſpoken ſo favorably of them, does not appear.

vigilance of government, and occaſioned a more rigorous execution of the penal laws, which terrified the Catholics more, by how much more mildly they had lately been executed. A private occurrence in the next year gave riſe to much public menace, and ſome additional ſeverity in executing the laws. A young lady of the name of Toole, who was ſtrongly importuned by her friends to conform to the eſtabliſhed religion, had taken refuge in the houſe of a Mr. Saul, a merchant in Dublin, in order to get rid of their importunities. The affair was taken up with a high hand; Mr. Saul was proſecuted; and he was publicly aſſured from the bench, *that the laws did not preſume a Papiſt to exiſt in the kingdom, nor could they breathe without the connivance of government.** The publication of Dr. Curry's *Hiſtorical Memoirs of the Iriſh Rebellion of* 1641† though anonymouſly, in the year 1759, ſtill further awakened the attention of all, and the rigor of many towards the Catholics. So little at that time was the public accuſtomed to publications favorable to the Catholics, that the book created a conſiderable ferment in the nation, and gave great offence to moſt of the Proteſtants: it appeared at firſt to counteract its own object by irritating rather than reconciling the minds of men.

On the 29th day of October, 1759, the Duke of Bedford delivered a meſſage to the parliament to the following effect:—That by a letter from Mr. Secretary Pitt, written by his majesty's expreſs command, it appeared that France, far from reſigning her plan of invaſion, on account of the diſaſter that befel her Toulon ſquadron, was more and more confirmed in her purpoſe, and even inſtigated by deſpair itſelf to attempt at all hazards the only reſource ſhe ſeemed to have left for thwarting, by a diverſion at home, the meaſures

* Mr. Saul's letter to Mr. O'Connor upon this ſubject, dated November the 15th, 1759, gives an intereſting account of this tranſaction, and of its conſequences to Mr. Saul, whom it drove out of the kingdom. His family has been ever ſince ſettled in France. Vide Appendix, No. LXIII. The original is in Mr. O'Connor's collection.

† The Memoirs were publiſhed with the utmoſt ſecrecy and caution. The motives and reaſons for their publication will beſt appear from the correſpondence between Dr. Curry and Mr. O'Connor upon the ſubject, in the Appendix, No. LXIV. The original letters being in the before mentioned collection. Although theſe memoirs were no more than a mere compilation of original and authentic documents, all from Proteſtant authors, yet the compiler of them, when he came to be known, was expoſed to a torrent of the moſt virulent abuſe and invective. The probability or even certainty that truth will be ill received, is no juſt excuſe for ſuppreſſing it; eſpecially when its publication becomes an act of juſtice to an individual and much more ſo to a nation.

of

of England abroad, in profecuting a war, which hitherto opened in all parts of the world ſo unfavourable a proſpect to the views of French ambition: that in caſe the body of French troops, amounting to eighteen thouſand men, under the command of the Duke d'Aiguillon, aſſembled at Vannes, where alſo a ſufficient number of tranſports was prepared, ſhould be able to elude the Britiſh ſquadron, Ireland would in all probability be one of their chief objects; his grace thought it therefore incumbent upon him, in a matter of ſuch high importance to the welfare of that kingdom, to communicate this intelligence to the Iriſh parliament. He told them his majeſty would make no doubt but that the zeal of his faithful Proteſtant ſubjects in that kingdom had been already ſufficiently quickened by the repeated accounts of the enemies dangerous deſigns, and actual preparations made, at a vaſt expence, in order to invade the ſeveral parts of the Britiſh dominions. He gave them to underſtand he had received his ſovereign's commands to uſe his utmoſt endeavours to animate and excite his loyal people of Ireland to exert their well known zeal and ſpirit in ſupport of his majeſty's government, and in defence of all that was dear to them, by timely preparation to reſiſt and fruſtrate any attempts of the enemy to diſturb the quiet and ſhake the ſecurity of that kingdom. He, therefore, in the ſtrongeſt manner recommended it to them to manifeſt, upon this occaſion, that zeal for the preſent happy eſtabliſhment, and that affection for his majeſty's perſon and government, by which the parliament of that kingdom had been ſo often diſtinguiſhed. Immediately after this meſſage was communicated, the Houſe of Commons unanimouſly reſolved to preſent an addreſs to the lord lieutenant; thanking his grace for the care and concern he had ſhown for the ſafety of Ireland, in having imparted intelligence of ſo great importance; deſiring him to make uſe of ſuch means, as ſhould appear to him the moſt effectual for the ſecurity and defence of that kingdom; and aſſuring him, that the houſe would make good whatever expence ſhould be neceſſarily incurred for that purpoſe. That however they might deſpiſe the attempt, yet ſhould they not omit to purſue the moſt ſpeedy and effectual means to fruſtrate and defeat it: and to convince the world, that his majeſty's faithful people of Ireland were ſubjects not unworthy of their glorious monarch. This intimation, and the ſteps that were taken in conſequence of it for the defence of Ireland, produced ſuch apprehenſions and diſtractions among the people of that kingdom, as had nearly proved fatal to the public credit. In the firſt tranſports of po-

pular fear, there was ſuch an extraordinary run upon the banks of Dublin, that ſeveral conſiderable bankers were obliged to ſtop payment; and the circulation was in danger of being ſuddenly ſtagnated, when the lord lieutenant, the members of both houſes of parliament, the lord mayor, aldermen, merchants, and principal traders of Dublin engaged in an aſſociation to ſupport public credit, by taking the notes of bankers in payment; a reſolution which effectually anſwered the purpoſe intended.

Amongſt other deluſive motives, which at this time actuated the unwiſe councils of Verſailles, in hazarding this raſh invaſion of Ireland, were the falſe hopes holden out to them by ſome of the expatriated Iriſh in the ſervice of France, that an invading army would have been immediately joined by the phyſical force of the country. That the bulk of the nation was diſcontented with the government, ſore at being excluded from their native rights of citizens, and eager for an opportunity of retaliating upon their oppreſſors nearly two centuries of perſecution and ſlavery for the ſake of their religion. The conduct of the Catholics on this, as on every former occaſion of alarm or danger to the eſtabliſhment, was that of the moſt exemplary firmneſs to principle and duty. On the earlieſt alarm of the intended invaſion of Conflans, Mr. O'Connor and Dr. Curry called a meeting of the Catholic committee for the purpoſe of making a tender of their allegiance in times of danger, as well as in times of peace. Mr. O'Connor drew up the form of an addreſs, which was unanimouſly approved of. It was dated 1ſt of December, 1759; and on the enſuing day at a meeting of the moſt reſpectable merchants in Dublin it was ſigned by about 300 perſons. Mr. Anthony M'Dermott and Mr. John Crump preſented it to Mr. John Ponſonby, the ſpeaker of the Houſe of Commons, to be preſented by him to the lord lieutenant. Mr. Ponſonby received it without making any obſervation; no direct anſwer was given from the caſtle; ſome days elapſed in awful and myſterious ſilence: without any public notice taken of it, it was laid on the table of the Houſe of Commons for the inſpection of the members. On the 10th of December his grace gave a moſt gracious anſwer to the addreſs, which appeared in the Dublin Gazette on the 15th of December, 1759.* The ſpeaker ſent for Mr. Anthony M'Dermott and Mr. Crump, and from the chair ordered the former to read the addreſs to the houſe. Mr. M'Dermott, after having read the ad-

* The addreſs, and the Duke of Bedford's anſwer are to be ſeen in the Appendix, No. LXV.

dreſs

dreſs, thanked the ſpeaker as delegate from the Catholics of Dublin for his condeſcenſion. The ſpeaker replied, that he counted it a favor done him to be put in the way of ſerving ſo reſpectable a body, as that of the gentlemen, who had ſigned that loyal addreſs. The gracious acceptance of this addreſs was the firſt re-admiſſion of the Catholic body over the threſhold of the conſtitutional freedom of their country.* Immediately upon the welcome

* To the unwearied zeal and perſeverance, to the temperate and manly exertions of theſe reſpectable gentlemen of the firſt Catholic committee, does the Iriſh nation owe peculiar gratitude, for having been the immediate inſtruments of opening the door to all the relief their long and ſorely ſuffering countrymen have ſince received from the benign ſympathy of our preſent moſt gracious ſovereign. Notwithſtanding this firſt ſucceſsful effort of the merchants' addreſs, it is to be remarked, that a moſt determined, and not altogether temperate diſſenſion of the Catholic body had unfortunately taken place, upon the propriety of addreſſing the lord lieutenant. The clergy, nobility, and landed intereſt were anti-addreſſers: their fears or hopes, or dependencies upon the caſtle convinced them, that as Catholics were not ſubjects in the eye of the law, they had no right to addreſs: that an addreſs therefore would be deemed preſumptuous: and that the only plan for them to purſue, was to *expreſs their obedience by letter, and not by addreſs*. Fortunately for Ireland, this puſillanimous and weak delicacy of the *anti-addreſſers* was overruled by the oppoſite party, who were guided by the ſound ſenſe and manly policy of Mr. O'Connor, and Dr. Curry: the latter of whom in a letter to the former of the 29th of December, 1759, informs him, that a great man was heard to ſay at the caſtle: "By G—, I find that I was miſtaken in thinking that Papiſts were led "by the noſe by their clergy. I have been aſſured, that the Dublin addreſs was drawn up and "ſigned againſt their advice and command." This early triumph of the commercial intereſt over that of the clergy and landed property, was a happy omen to the Catholics at large. Reaſon connected Mr. O'Connor and Dr. Curry, both men of ancient family and landed eſtates, with the former; and reaſon ſhews, that the intermediate concerns of the merchant and tradeſman between the higheſt and the loweſt ranks of ſociety amalgamates them more completely with the maſs of the community, and fits them better both in theory and practice for judging of their rights, advantages, and happineſs, than thoſe who are exalted by rank or ſtation above the great maſs of the people, are removed from immediate intercourſe with them, and conſequently muſt be preſumed ignorant of their wants. It muſt alſo in hiſtorical candor be allowed, that there exiſts to this hour more diſtance between the rich and the poor in Ireland, than in any part of the Britiſh empire: it partly proceeds from a national intemperate luſt of power, partly from the vicious ſyſtem of meſne tenantry, which deſtroys all privity between the owner and occupier of the ſoil, and partly as Lord Taaffe complained in his Obſervations on the Affairs of Ireland in 1767 (p. 13), from the expulſion of that uſeful body of people, called Yeomanry in England, denominated Sculoags in Ireland; who were communities of induſtrious houſekeepers who in his own time herded together in large villages, cultivated the lands every where, and lived comfortably, till ſome rich grazier negociating privately with a ſum of ready money took the lands over their heads. "The *Sculoag* race (continues that "nobleman), that great nurſery of labourers and manufacturers, has been broke and diſperſed, "in

come tidings being circulated of the gracious acceptance of this addreſs, the Roman Catholics poured in addreſſes to the caſtle, from every quarter of the kingdom, expreſſive of the moſt loyal, zealous, and active ardour in defence of their king and country.

It is impoſſible for the hiſtorian always to fathom the ſecret motives and

" in every quarter, and we have nothing in lieu, but the moſt miſerable wretches on earth, the " cottagers; naked ſlaves, who labour without any nouriſhing food, and live while they can with- " out houſes or covering, under the laſh of mercileſs and relentleſs taſk-maſters." It muſt be further allowed, without derogating from the innate reverence, which the Iriſh have ever ſhewn to the miniſters of their religion, that in the purſuit and defence of civil rights, the clergy, from their habit of life and dependencies upon the great, are of all men the leaſt likely to be prudent, firm, and vigorous.

If the portrait which Mr. Arthur Young has given of the Iriſh landlord amidst his tenants bears any reſemblance to the original, we ſhall find in it a hoſt of reaſons for diſqualifying the nobility and gentry from judging and acting as fairly for the multitude, as the commercial intereſt. The landlord of an Iriſh eſtate inhabited by Roman Catholics, is a ſort of deſpot, who yields obedience in whatever concerns the poor to no law but that of his will. To diſcover what the liberty of a people is, we muſt live among them, and not look for it in the ſtatutes of the realm. The language of written law may be that of liberty, but the ſituation of the poor may ſpeak no language but that of ſlavery. There is too much of this contradiction in Ireland. A long ſeries of oppreſſion, aided by many very ill-judged laws, have brought landlords into a habit of exerting a very lofty ſuperiority, and their vaſſals into that of an almoſt unlimited ſubmiſſion: ſpeaking a language that is deſpiſed, profeſſing a religion that is abhorred, and being diſarmed, the poor find themſelves in many caſes ſlaves even in the boſom of written liberty. Landlords, that have reſided much abroad are uſually humane in their ideas; but the habit of tyranny naturally contracts the mind, ſo that even in this poliſhed age there are inſtances of a ſevere carriage towards the poor, which is quite unknown in England. Nay, I have heard anecdotes of the lives of people being made free with, without any apprehenſion of the juſtice of a jury. But let it not be imagined that is common: formerly it happened every day; but law gains ground. - - - - - - - - - The execution of the law lies very much in the hands of juſtices of the peace, many of whom are drawn from the moſt illiberal claſs in the kingdom. If a poor man lodges a complaint againſt a gentleman, or any animal that chuſes to call itſelf a gentleman, and the juſtice iſſues out a ſummons for his appearance, it is a fixed affront, and he will infallibly be called out. Where manners are in conſpiracy againſt law, to whom are the oppreſſed people to have recourſe? - - - - - - They know their ſituation too well to think of it: they can have no defence but by means of protection from one gentleman againſt another, who probably protects his vaſſal, as he would the ſheep he intends to eat.

The colours of this picture are not charged. To aſſert that all theſe caſes are common would be an exaggeration; but to ſay that an unfeeling landlord will do all this with impunity, is to keep ſtrictly to truth: and what is liberty but a farce and jeſt, if its bleſſings are received as the favor of kindneſs and humanity, inſtead of being the inheritance of RIGHT. *Young's Tour, Dublin edit. vol.* ii. *p.* 40 and 41.

views

views of the meaſures, which it is his duty to retail. It appears however not improbable, that one motive at leaſt for ſhewing this new indulgent diſpoſition to the Catholics was to reconcile that body to the then crudely digeſted plan of an Union. But the country was not then ripe for ſuch a meaſure. It was the intereſt of too many perſons in power then to oppoſe it, and they artfully prediſpoſed the mob againſt it, without appearing to take an active part in oppoſing the meaſure, which they then effectually ſtrangled in embryo. They alſo took advantage of thoſe qualities of the Duke of Bedford, which tended to eſtrange from him the perſonal affections of the Iriſh nation, namely his pride, coldneſs, and œconomy.* The outrages of this mob were attempted by ſome perſons in parliament to be thrown on the Catholics; for the attack on parliament happened on the very day after the addreſs to the lord lieutenant had been ſigned and preſented. On the 4th of December, 1759, the commons reſolved upon an addreſs to his grace the lord lieutenant, to return him thanks for his ſeaſonable interpoſition in uſing the moſt effectual means on the preceding day to diſperſe a moſt dangerous and

* 4 Smol. p. 469. Although no traces of diſaffection to his majeſty's family appeared on this trying occaſion, it muſt nevertheleſs be acknowledged, that a ſpirit of diſſatisfaction broke out with extraordinary violence among the populace of Dublin. The preſent lord lieutenant was not remarkably popular in his adminiſtration. He had beſtowed one place of conſiderable importance upon a gentleman, whoſe perſon was obnoxious to many people in that kingdom, and perhaps failed in that affability and condeſcenſion which a free and ferocious nation expects to find in the character of him to whoſe rule they are ſubjected. Whether the offence taken at his deportment had created enemies to his perſon, or the nation in general began to entertain doubts and jealouſies of the government's deſigns, certain it is, great pains were taken to propagate a belief among the lower ſort of people, that an union would ſoon be effected between Great Britain and Ireland; in which caſe this laſt kingdom would be deprived of its parliament and independency, and be ſubjected to the ſame taxes, that are levied upon the people of England. This notion inflamed the populace to ſuch a degree, that they aſſembled in a prodigious multitude, broke into the Houſe of Lords, inſulted the peers, ſeated an old woman on the throne, and ſearched for the Journals, which, had they been found, they would have committed to the flames. Not content with this outrage, they compelled the members of both houſes, whom they met in the ſtreets, to take an oath that they would never conſent to ſuch an union, or give any vote contrary to the true intereſt of Ireland. Divers coaches belonging to obnoxious perſons were deſtroyed, and their horſes killed; and a gibbet was erected for one gentleman in particular, who narrowly eſcaped the ungovernable rage of thoſe riotous inſurgents. A body of horſe and infantry were drawn out on this occaſion, in order to overawe the multitude, which at night diſperſed of itſelf. Next day addreſſes to the lord lieutenant were agreed to by both houſes of parliament, and a committee of enquiry appointed, that the ringleaders of the tumult might be diſcovered and brought to condign puniſhment.

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inſolent multitude of people aſſembled before the parliament houſe, in order, moſt illegally and audaciouſly, to obſtruct and inſult the members of both houſes of parliament attending the public ſervice of the nation, in manifeſt violation of the rights and privileges of parliament.*

The grand embarkation deſigned for Ireland was to be made from Vannes in Lower Britanny. To cover it, a fleet was fitted out at Breſt, commanded by M. de Conflans. The execution of this ſcheme was delayed by Sir Edward Hawke, who blocked up that harbour with twenty-three ſhips of the line. But boiſterous winds having driven the Britiſh fleet off their ſtation, in the month of November, Conflans embraced the opportunity, and ſailed with twenty-one large ſhips and four frigates. On the twentieth, Sir Edward Hawke purſued and came up with the French fleet. He had been reinforced by a few ſhips under the command of Captain Duff, who had for ſome time been cruiſing from Port l'Orient in Bretagne to the Point of St. Gilles in Poitou. In the neighbourhood of Belleiſle the van of the Engliſh engaged the rear of the enemy about two o'clock in the forenoon. Happy for Bri-

* The Duke of Bedford made the moſt honorable amends to the Catholics he could on this occaſion, by directing Mr. John Ponſonby, the ſpeaker, to read from the chair his anſwer to their addreſs; which was an approbation of their paſt conduct, and an aſſurance of his future favor and protection as long, as they continued in it. Thus clearing them from the foul aſperſion in the very place, in which it had been caſt upon them. It is remarkable that no trace of this whole tranſaction is to be found in the journals of the commons. And yet ſo unuſual a proceeding affecting the rights of the bulk of the Iriſh nation ſhould naturally have found its place in the parliamentary minutes of that day. On the occaſion of that malicious attack upon the Catholics, the Prime Sergeant Stannard, who had come in upon the late change, ſpoke warmly in reply to ſome of the high-flying patriots, who moſt violently oppoſed the Duke of Bedford's adminiſtration. Contraſting the riotous conduct of the Lucaſians (as they were then called after their chief,) with the quiet and dutiful behaviour of the Roman Catholics, in that and other dangerous conjunctures, he gave the following honorable teſtimony in favor of the latter. "We have lived amicably and in harmony among "ourſelves, and without any material party diſtinctions for ſeveral years paſt, till within theſe few "months, and during the late wicked rebellion in Scotland, we had the comfort and ſatisfaction to "ſee that all was quiet here. And to the honor of the Roman Catholics be it remembered, that not "a man of them moved tongue, pen, or ſword, upon the then, or the preſent occaſion; and I am "glad to find, that they have a grateful and proper ſenſe of the mildneſs and moderation of our "government. For my part, while they behave with duty and allegiance to the preſent eſta-"bliſhment, I ſhall hold them as men in equal eſteem with others, in every point but one; and "while their private opinion interferes not with public tranquillity, I think their induſtry and alle-"giance ought to be encouraged."

tain

tain and to the unſpeakable advantage of this country, Providence favored the Engliſh fleet with a complete victory. In October, the ſquadron deſigned for the North of Ireland had ſailed from Dunkirk: it conſiſted originally of five ſhips: one of forty-eight, two of thirty-ſix, and two of twenty-four guns each, and carried a thouſand two hundred and ſeventy land forces. The reputation acquired by M. Thurot, as captain of a privateer, raiſed him to the command of the naval department employed in this expedition. Adverſe and tempeſtuous winds drove the ſquadron to Gottenburgh. Having continued here a few days, they ſet ſail and proceeded to the place of deſtination. Upon arriving on the coaſt of Ireland they were overtaken by a ſtorm, to eſcape which they attempted to ſhelter themſelves in Lough Foyle, but the wind changed and continuing to blow tempeſtuouſly, obliged them to keep the ſea, two of the ſhips were ſeparated from the reſt by the violence of the ſtorm and returned to France. The remaining three directed their courſe to the iſland of Ilay, where they anchored, repaired ſome damages they had ſuſtained, took in a ſmall quantity of freſh proviſions, and to procure a ſupply more adequate to their neceſſities, ſailed for Carrickfergus. They arrived here on the twenty-firſt of February, and about two miles from the town, landed their forces now reduced to ſix hundred men. Mean while an officer belonging to the ſmall number of troops of which the garriſon conſiſted, advanced with a reconnoitring party, and took poſt on a riſing ground to obſerve the motions of the enemy. Having made the beſt diſpoſition of his men which the time and circumſtances would permit, and ordered them to make every effort to retard the approaches of the French, he returned to communicate the neceſſary information to the commanding officer. The troops were on parade, from whom detachments were ſent to defend the gates and all the avenues leading to the town. A number of French priſoners, then in Carrickfergus, were ſent off to Belfaſt with all poſſible expedition. By this time the fire had begun betwixt the reconnoitring party and the enemy, which killed ſeveral of them, and wounded Brigadier General Clobert, their commanding officer. This accident threw them into confuſion, and for ſome time retarded their approach. The reconnoitring party having expended their powder and ball were forced to retreat to their garriſon, who, after having attempted in vain to prevent the enemy from entering the town, ſhut themſelves up within the caſtle. Though they were not in any reſpect prepared for ſuch an attack, a number of them being quite undiſci-

plined, and there being a breach in the wall fifty feet long, they defended themſelves with ſpirit until their ammunition was expended. They were now obliged to capitulate: it is ſuppoſed, that, previous to the ſurrender of the caſtle, a hundred of the French were killed, among whom were four officers, one of them a perſon of diſtinction, much regretted for his courage and amiable qualities. Of the garriſon not more than three loſt their lives. When intelligence of the landing of the enemy reached different parts of the country, volunteer companies flocked to Belfaſt from all quarters. By the willingneſs which they diſcovered to riſk their lives in the ſervice of their country they acquired much honor, but they were ſtrangers to diſcipline, and numbers of them unprovided with arms. Had they proceeded to attack the enemy, as was propoſed by ſome, many would have been ſacrificed, and the probability of ſucceſs was much againſt them. However the French were alarmed and would have left Carrickfergus without delay, had they not been detained by unfavorable winds: having plundered the town, they re-embarked on Tueſday the twenty-ſixth of February. To avoid the imminent danger to which they were expoſed from the Engliſh ſhips of war, they wiſhed to return by the North of Ireland, but the wind was adverſe, and compelled them to attempt a paſſage through the Channel. Very ſoon their hopes of eſcaping vaniſhed. The day on which they re-embarked, Captain Elliot, of his majeſty's ſhip Æolus of thirty-two guns, received information from government of the arrival of the French at Carrickfergus. Taking with him the Pallas and Brilliant, each of them with the ſame force, with reſpect to guns, he ſet ſail in queſt of the enemy. The twenty-eighth he diſcovered them, gave chace, and came up with them near the Iſle of Man. Having engaged with them about an hour and a half, they ſtruck, being much injured in their maſts and rigging, and three hundred of their men killed. Thurot loſt his life in the action. Thurot had in the courſe of the preceding year ſignalized his courage and conduct in a large privateer, called the Belleiſle, which had ſcoured the North ſeas, taken a number of ſhips and at one time, maintained an obſtinate battle againſt two Engliſh frigates, which were obliged to deſiſt after having received conſiderable damage.*

In

* 4 Smol. p. 460. The ideal approximation of circumſtances trivial and remote, frequently leads to conſequences of great importance and peculiar relevancy. On account of the penal laws then

In conſequence of theſe events, it was reſolved by the Houſe of Commons, "that the thanks of that houſe ſhould be given to Lieutenant Colonel Jennings, for his prudent and reſolute conduct at Carrickfergus, and for the gallant ſtand he made there againſt a much ſuperior force, by which he gained time for the militia to aſſemble, and preſerved Belfaſt from being plundered." It was alſo reſolved, "that the zeal, courage, and activity, exerted on the landing of the French in this kingdom, by the counties of Antrim, Armagh, and Down, and by the citizens of the city of Londonderry, were highly honorable and beneficial to themſelves, and their country." The inhabitants of Belfaſt preſented Lieutenant Colonel Higginſon of the 62d regiment of foot, with a large and elegant ſilver cup, having an inſcription expreſſive of their gratitude for the exertion of his great military knowledge, vigilance and activity, for the ſecurity of the town

then exiſting, the author and ſeveral other children of Catholic parents being ſent abroad for a foreign education in July 1759 were taken in the packet by Thurot, between Dunkirk and Oſtend: and were actually priſoners on board the Belleiſle when ſhe was attacked by what Mr. Smollet calls Engliſh frigates; the Belleiſle mounted 40 guns, and had another privateer in company with her of 36 guns. On the very day of the capture of the packet three ſmall Engliſh veſſels mounting 20, 12 and 8 guns gave chace to and came up with the French privateers about midnight, and engaged them briſkly till about four o'clock in the morning, when they were obliged to ſheer off. Thurot's ſhip ſuffered ſo much, that it put in to Fluſhing to repair; where his priſoners lay for ſeveral weeks before they were exchanged. Here a mutiny happened on board the Belleiſle, which Thurot quelled by killing two of the ringleaders with his own hands, and cutting off the cheek of a third. The three Engliſh veſſels were commanded by Captain (afterwards Commodore) Boys, upon which a marine muſe produced the following lines.

Conflans, De la Clue, and ſuch brave men as thoſe,
We ſend Hawke, Boſcawen, always to oppoſe.
But when that Thurot our iſland annoys
We think it ſufficient to ſend only *Boys*.

With inſpeakable gratitude does the author contraſt thoſe times, when under a borrowed name he was neceſſitated to fly to a foreign country for education, with the preſent, in which through the liberality of government he has the happineſs of giving that ſame education to his own children in their native ſoil.

As this deſcent of Thurot was the only attempt of an enemy to land in Ireland for upwards of two centuries every particular concerning it may be intereſting to the Iriſh reader: we have therefore inſerted in the Appendix No. LXVI. the official letter of General Strode, who then commanded at Belfaſt, dated February the 23d, 1760, to the lord lieutenant.

of Belfaſt, on the landing of the French troops at Carrickfergus, the like compliment was paid to Colonel Jennings.*

On the 25th of October, 1760, his late majeſty George II. died at Kenſington at the advanced age of 77 years; none of his predeceſſors on the throne lived to ſo great an age; none enjoyed a more happy or glorious reign; it was a peculiar bleſſing to this monarch, that the love and affection of his ſubjects encreaſed conſtantly to the cloſe of his reign. He was a prince of perſonal intrepidity: upright and honorable in his conduct, though not diſtinguiſhed for any extraordinary brilliancy of talent: he was particularly fortunate in the choice of his laſt miniſtry, under Mr. Pitt. His Britiſh ſubjects ill-reliſhed his marked predilection for his German dominions, and complained, that he viſited them more frequently, than was conſiſtent with the welfare of the ſtate.

* A Liſt of the Militia that marched againſt the French on this occaſion.

Antrim Country	108	Newton	70	Donaghadee	70
Temple Patrick	100	Loughbrickland	50	Bangor	60
Randleſtown	120	Armagh	40	Hollywood	80
Ballymena	140	Lurgan	60	Hilliſborough	60
Boroughſhane	46	Glenarm	100	Market-hill	6
Clough	100	Ballinere & Balliſten	100	Dromore	40
Killylea	60	Belfaſt 9 comp.	300	Richhill light horſe	70
Cumber	60	Ballymoney	70		
Purdeſburn	100	Liſburn	40	Total	2226
Grayabby	70	Argum	100		

All clothed and armed at their own expence.

CHAP-

CHAPTER V.

THE REIGN OF GEORGE THE THIRD.

From his Acceſſion to the Throne to the Declaration of Iriſh Independance in 1782.

NO prince ever aſcended the throne more to the joy and ſatsfaction of his people than our gracious ſovereign. Pleaſed, ſaid Junius, with the novelty of a young prince, whoſe countenance promiſed even more than his words, they were loyal to him not only from principle, but paſſion. It was not a cold profeſſion of allegiance to the firſt magiſtrate, but a partial animated attachment to a favorite prince, the native of their country. In his firſt ſpeech to the Britiſh parliament, he ſaid "born and educated in this country, "I glory in the name of Briton: and the peculiar happineſs of my life will "ever conſiſt in promoting the welfare of a people, whoſe loyalty and warm "affection to me I conſider as the greateſt and moſt permanent ſecurity of "my throne: and I doubt not but their ſteadineſs in thoſe principles will "equal the firmneſs of my invariable reſolution to adhere to and ſtrengthen "this excellent conſtitution in church and ſtate; and to maintain the "toleration inviolable. The civil and religious rights of my loving ſubjects, "are equally dear to me with the moſt valuable prerogatives of the crown: "and as the ſureſt foundation of the whole and the beſt means to draw down "the divine favor on my reign, it is my fixed purpoſe, to countenance and "encourage the practice of true religion and virtue." In theſe flattering aſſurances of the new monarch to the people of Great Britain, Lord Hallifax, then lord lieutenant of Ireland, had it in command to declare to the ſiſter kingdom, that his ſubjects of Ireland, were fully, and in every reſpect, comprehended.* Congratulatory addreſſes to the throne flowed in from all deſcriptions of perſons: amongſt which, none were more remarkable than the addreſſes from the people called Quakers and the Roman Catholics:

* Com. Journ. vol. 7. p. 13.

the

the former, contained more moral ſentiment and leſs common place flattery, than are uſually contained in ſuch addreſſes: the latter was ſtrongly expreſſive of their loyalty: their acknowledgement of paſt indulgence, and their earneſt confidence of future favor.*

With reſpect to the general ſtate of Ireland at this period, the proſpect is truly gloomy. It appears from the public accounts, that at Lady Day, 1759, the nation was in credit 65,774l. 4s. 1½d.; however the arrears upon the eſtabliſhments had increaſed ſo conſiderably towards the concluſion of that year, that it became neceſſary to order 150,000l. to be raiſed at 4 per cent. upon debentures to be made transferable. This is to be conſidered, as the funded debt of Ireland: for the payment of the intereſt of this ſum, certain duties were granted. In the beginning of 1760, his late majeſty having ordered a conſiderable augmentation of his forces, it became neceſſary to recur to another loan to raiſe the intended levies; and accordingly a vote of credit was paſſed by the commons for raiſing 300,000l. at 5 per cent. and as it was found difficult to obtain the former loan at 4 per cent. an additional intereſt of 1 per cent. was ordered to be given for the 150,000l. before mentioned.†

It

* Theſe two addreſſes are to be ſeen in the Appendix, No. LXVII.

† The late reſpectable and patriotic Hely Hutchinſon, gives the following juſt account of the national diſtreſs on account of the decline of public credit. (Com. Reſt. p. 59.) "The revenue, "for the reaſons already given, decreaſed in 1755, fell lower in 1756, and ſtill lower in 1757. "In the laſt year, the vaunted proſperity of Ireland was changed into miſery and diſtreſs; the "lower claſſes of our people wanted food, the money ariſing from the extravagance of the rich "was freely applied to alleviate the ſufferings of the poor. One of the firſt ſteps of the late Duke "of Bedford's adminiſtration, and which reflects honour on his memory, was obtaining a king's "letter, dated 31ſt of March, 1757, for 20,000l. to be laid out as his grace ſhould think the moſt "likely to afford the moſt ſpeedy and effectual relief to his majeſty's poor ſubjects of this kingdom. "His grace, in his ſpeech from the throne, humanely expreſſes his wiſh, that ſome method might "be found out to prevent the calamities, that are the conſequences of a want of corn, which had "been in part felt the laſt year, and to which this country had been too often expoſed. The Com- "mons acknowledge, that thoſe calamities had been frequently and were too ſenſibly and fatally "experienced in the courſe of the laſt year; thank his grace for his early and charitable atten- "tion to the neceſſities of the poor of this country in their late diſtreſſes, and make uſe of thoſe "remarkable expreſſions, "*that they will moſt chearfully embrace every practicable method to "promote tillage.* They knew that the encouragement of manufactures were the effectual means, "and that theſe means were not in their power. The ability of the nation was eſtimated by the money

It is an unexceptionable axiom, that a diſtreſſed peaſantry argues a corrupt or unwiſe government: the exceſſes therefore of deſperate wretchedneſs are to be immediately ſought in the foreneſs and irritation of the ſufferers: though the efficient cauſe of the ſuffering muſt be traced to an higher and leſs reſponſible ſource. From the acceſſion of the Hanover family, the execution of the Popery laws in Ireland had, as far as the perſonal diſpoſition of the ſovereign could influence the conduct of the Iriſh adminiſtration, been ſoftened and mitigated. The rebellions of 1715 and 1745 had been raiſed

" money in the treaſury, and the penſions on the civil eſtabliſhment, excluſive of French, which " at Lady Day 1755, were 38,003l. 15s. 0d. amounted at Lady Day 1757, to 49,293l. 15s. 0d.

" The ſame ideas were entertained of the reſources of this country in the ſeſſion of 1759. " Great Britain had made extraordinary efforts, and engaged in enormous expences for the pro- " tection of the whole empire. This country was in immediate danger of an invaſion. Every " Iriſhman was agreed, that ſhe ſhould aſſiſt Great Britain to the utmoſt of her ability, but this " ability was too highly eſtimated. The nation abounded rather in loyalty than in wealth. Our " brethren in Great Britain had however formed a different opinion, and ſurveying their own " ſtrength, were incomplete judges of our weakneſs. A lord lieutenant of too much virtue and " magnanimity to ſpeak what he did not think, takes notice from the throne, of the proſperous " ſtate of this country, improving daily in its manufactures and commerce. His grace had done " much to bring it to that ſtate, by obtaining for us ſome of the beſt laws in our books of ſtatutes. " But this part of the ſpeech was not taken notice of, either in the addreſs to his majeſty, or to his " grace, from a Houſe of Commons well diſpoſed to give every mark of duty and reſpect, and to " pay every compliment conſiſtent with truth. The event proved the wiſdom of their reſerve. " The public expences were greatly increaſed, the penſions on the civil eſtabliſhments, excluſive of " French, at Lady Day, 1759, amounted to 55,497l. 5s. 0d.: there was at the ſame time a great " augmentation of military expence. Six new regiments and a troop were raiſed in a very ſhort " ſpace of time. An unanimous and unlimited addreſs of confidence to his grace, a ſpecifick " vote of credit for 150,000l. which was afterwards provided for in the loan bill of that ſeſſion, " a ſecond vote of credit in the ſame ſeſſion for 300,000l., the raiſing the rate of intereſt paid by " government one per cent. and the payment out of the treaſury in little more than one year, " of 703,957l. 8s. 1½d. were the conſequences of thoſe encreaſed expences. The effects of theſe " exertions were immediately and ſeverely felt by the kingdom. Theſe loans could not be " ſupplied by a poor country, without draining the bankers of their caſh; three of the principal " houſes (Clement's, Dawſon's, and Mitchell's,) among them ſtopped payment, the three remain- " ing banks in Dublin diſcounted no paper, and in fact did no buſineſs. Public and private " credit, that had been drooping ſince the year 1754 had now fallen proſtrate. At a general " meeting of the merchants of Dublin, in April 1760, with ſeveral members of the Houſe of " Commons, the inability of the former to carry on buſineſs was univerſally acknowledged, not " from the want of capital, but from the ſtoppage of all paper circulation, and the refuſal of the " remaining bankers to diſcount the bills even of the firſt houſes."

and

and ſuppreſſed, without the ſlighteſt tarniſh to the loyalty of Ireland;* prone as her enemies ever have been to invent and provoke cauſe of perſecution and puniſhment in that devoted kingdom. In the general rejoicing of the Britiſh empire at the deſcent of the crown upon a native monarch crowned with early laurels of victory in the wide extent of the war, in which he found his people engaged, Ireland alone was doomed to weep. In the ſouthern province of that kingdom great miſery, great ſoreneſs, and great diſturbances exiſted in the loweſt claſs of the wretched peaſantry. They being chiefly Catholics, religion of courſe was ſtupidly and maliciouſly ſaddled with the cauſe of theſe riots. The inſurgents at firſt committed their outrages at night; and appearing generally in frocks or ſhirts were denominated *white-boys*: they ſeized arms and horſes, houghed the cattle, levelled the encloſures of commons, turned up new made roads, and perpetrated various other acts of outrage and violence. Theſe unfortunate wretches, as is the caſe in all inſurgencies, raiſed a popular cry againſt the rapacity and tyranny of their landlords: againſt the cruel exactions of tythe-mongers, and againſt the illegal encloſures of commons.

The only uſeful alluſion to paſt riots, the only ſeaſonable reflections, that ariſe out of them, the only fair hiſtorical purpoſe, to which the details of them can be applied, are ſuch as tend to their future prevention. The moſt pointed exhortations to the diſcontented maſs, but tend to aggravate whilſt their foreneſs laſts; little avails it in the moment of fermentation whether their grievances be ideal or real; whether the cauſe of their irritation be juſt or groundleſs. Few, if any of the deluded multitude will read the hiſtory of their own miſconduct in the pages, which fall under the peruſal of thoſe, who alone command the efficient means of prevention. Various cauſes about this period concurred in reducing this forlorn peaſantry to the moſt abject wretchedneſs. An epidemic diſorder of the horned cattle had ſpread

* It is notorious that when Murray, the Pretender's ſecretary, gave up all the letters and papers relative to the laſt rebellion in Scotland, a ſcheme which had been planning and contriving for ſeven years before, it plainly appeared, that the Jacobite party had no dependence upon or connection or correſpondence with any Roman Catholic in Ireland. The very name of that kingdom not having been once mentioned throughout the whole correſpondence. When in March, 1762, a general faſt was ordained by the government for the ſucceſs of his majeſty's arms, the form of prayer and exhortation to the Roman Catholic congregations in Ireland were as ſtaunchly loyal as any of the eſtabliſhment, as may be ſeen in the Appendix, No. LXVIII.

from

from Holſtein through Holland into England, where it raged for ſome years, and conſequently raiſed the prices of beef, cheeſe, and butter to exorbitancy; hence paſturage became more profitable than tillage; and the whole agriculture of the ſouth of Ireland, which had for ſome time paſt flouriſhed under the mild adminiſtration of the Popery laws, inſtantly ceaſed; the numerous families, which were fed by the labour of agriculture, were turned adrift without means of ſubſiſtence. Cottiers being tenants at will were every where diſpoſſeſſed of their ſcanty holdings, and large tracts of grazing land were ſet to wealthy monopolizers,* who, by feeding cattle, required few hands, and paid higher rents. Preſſed by need, moſt of theſe unfortunate peaſants ſought ſhelter in the neighbouring towns, for the ſake of begging that bread which they could no longer earn: and the only piteous reſource of the affluent was to ſhip off as many as would emigrate to ſeek maintenance or death in foreign climes. The price then paid for the little labour, that was done, kept not pace with the riſe of neceſſaries: it exceeded not the wages given in the days of Elizabeth. The landlords demanded extravagant rents from their cottiers, and to reconcile them to their lettings, they allowed them generally a right of common, of which they ſoon again deprived them by encloſures; the abſolute inability of theſe oppreſſed tenants to pay their tythes beſide their landlord's rent, made them feel the exaction and levying of them by the proctors, as a grievance inſupportable.† Theſe inſurrections became

* In the cant of theſe wretched rioters they were called *land-pirates*.

† Conſequences have flowed (ſays Mr. Young) from theſe oppreſſions, which ought long ago to have put a ſtop to them. In England we have heard much of *White Boys, Steel Boys, Oak Boys, Peep of day Boys, &c.* But theſe various inſurgents are not to be confounded, for they are very different. The proper diſtinction in the diſcontents of the people is into Proteſtant and Catholic. All but the White Boys were among the manufacturing Proteſtants in the North. The White Boys Catholic labourers in the South. From the beſt intelligence I could gain, the riots of the manufacturers had no other foundation, but ſuch variations in the manufacture as all fabrics experience, and which they had themſelves known and ſubmitted to before. The caſe, however, was different with the White Boys, who, being labouring Catholics, met with all thoſe oppreſſions I have deſcribed, and would probably have continued in full ſubmiſſion, had not very ſevere treatment in reſpect of tithes, united with great ſpeculative riſe of rents about the ſame time, blown up the flame of reſiſtance; the atrocious acts they were guilty of made them the object of general indignation; acts were paſſed for their puniſhment, which ſeemed calculated for the meridian of Barbary; this aroſe to ſuch a height, that by one they were to be hanged under circumſtances without the common formalities of a trial, which, though repealed the following ſeſſions, marks the ſpirit of puniſhment;

 while

became daily more alarming to government:* they inſtituted a commiſſion of ſome gentlemen, of diſtinguiſhed loyalty and eminence in the law, to enquire

while others remain yet the law of the land, that would, if executed, tend more to raiſe than quell an inſurrection. From all which it is manifeſt, that the gentlemen of Ireland never thought of a radical cure from overlooking the real cauſe of the diſeaſe, which in fact lay in themſelves, and not in the wretches they doomed to the gallows; let them change their own conduct entirely, and the poor will not long riot. Treat them like men who ought to be as free as yourſelves: put an end to that ſyſtem of religious perſecution, which for ſeventy years has divided the kingdom againſt itſelf; in theſe two circumſtances lies the cure of inſurrection, perform them completely, and you will have an affectionate poor, inſtead of oppreſſed and diſcontented vaſſals. *(Young's Tour, vol. ii. p. 41, 42.)* The late Lord Taaffe, whoſe high ſenſe of honour, frankneſs, and independence had endeared him perſonally to his ſovereign, as well as to all who knew him, has ſpoken of theſe Munſter inſurrections in a manner that cannot fail to carry full conviction to the unbiaſſed reader. *(Obſervations on the Affairs of Ireland, 2 edit. 1767, p. 19)* "The inſurrection of ſome of the cottagers, in a "few counties of Munſter, is no exception to the duty they owe and pay to their ſovereign; nor "is it fair to reproach them with the madneſs of a route of peaſants, wearied with life, and deſpe- "rate from invincible poverty. The whole body of Roman Catholics, however, have been re- "proached, and are in ſome degree reproached ſtill on this account. It has turned out a very "ſerious and tragical affair, and had it not proved ſo, it would be cauſe of mirth to conſider, how "keen the appetite for Popiſh plots muſt have been, which fed upon the idea, that France on the "concluſion of a treaty of peace with Britain, and evidently intereſted in the temporary obſervance "of it, ſhould immediately employ here the prevailing plenipotentiaries of money, arms, and offi- "cers to conclude another private treaty with the Munſter rabble, and all this with the view of "exciting a Popiſh maſſacre and rebellion through every quarter of this kingdom. Such is the "idea that has been propagated, and ſo fillily have ſome played their game, that they admitted every "body to look into their hands. It is happy that they did ſo. Others were leſs to be blamed for "being ſeduced to think, like Scrub in the play, that there muſt be a plot becauſe they knew "nothing about it. But men of good ſenſe, the friends of their country and of virtue, went "upon ſurer grounds, ſhewed no unwillingneſs to be well informed, and are now very ſucceſsfully "puſhing this affair into day-light. In and out of the parliament they are doing good; and may "their country receive the full benefit of their moderation and patriotiſm. The Iriſh Catholics "eaſily foreſaw that the diſorders of the Munſter levellers would affect them; and on the firſt riſing "of that mob addreſſed the Earl of Halifax, then in the government, with the ſtrongeſt aſſurances "of their allegiance to his majeſty. The ſuperiors of the Catholic clergy in that province, were at "the ſame time edifyingly active in preſſing the duty of obedience and loyalty on their people. "This is well known. He of Waterford exerted himſelf, by giving the government the beſt and "earlieſt intelligence he could get of the intentions and motions of thoſe miſcreants. He of Oſſory "diſtinguiſhed himſelf alſo, by excellent inſtructions (publiſhed in the public papers) for the civil "conduct of the people under his care. They iſſued excommunications, and denounced in vain "the moſt tremendous cenſures of the Church againſt the incorrigible and obſtinate."

* In the month of January, 1762, the White Boys firſt appeared, and in one night dug up twelve acres

enquire upon the ſpot into the real cauſes and circumſtances of theſe riots, who reported, "that the authors of thoſe riots conſiſted indiſcriminately of "perſons

acres of rich fattening ground, belonging to Mr. Maxwell, of Kilfinnan, in the county of Limerick. A ſpecial commiſſion was immediately iſſued to try them, when two of them were found guilty, Bangyard and Carthy, and executed at Gallows Green, the 19th of June. *(Hiſt. of Lim. p.* 129.*)*

Doctor Campbell makes the following obſervations upon the ſtate of the White Boys. *Pol. Sur. p.* 293. After conſidering all this, yet ſeeing at the ſame time that the greater, and certainly the beſt part of what I have ſeen, inſtead of being in a progreſſive ſtate of improvement, is verging to depopulation; that the inabitants are either moping under the fullen gloom of inactive indigence, or blindly aſſerting the rights of nature in nocturnal inſurrections, attended with circumſtances of ruinous devaſtation and ſavage cruelty, muſt we not conclude, that there are political errors ſomewhere? Cruelty is not in the nature of theſe people more than of other men; for they have many cuſtoms among them, which diſcover uncommon gentleneſs, kindneſs, and affection. Nor are they ſingular in their hatred of labour; Tacitus's character given of the Germans, applies to them, and all mankind in a rude ſtate, *mirâ diverſitate naturæ, cum iidem homines, ſic ament inertiam, ſic oderint quietem.* At preſent their hands are tied up, and they have neither the actions of a ſavage, nor the induſtry of civilized people. There is no neceſſity for recurring to natural diſpoſition, when the political conſtitution obtrudes upon us ſo many obvious and ſufficient cauſes of the ſad effects we complain of. The firſt is, the ſuffering avarice to convert the arable lands into paſture. The evils ariſing from this cuſtom in England, were ſo grievous, that Lord Bacon tells us, in the reign of Henry VII. a ſtatute was enacted to remedy them. But the miſchief ſtill encreaſing, Henry VIII. revived all the ancient ſtatutes, and cauſed them to be put in execution. Yet notwithſtanding this care, ſo great was the diſcontent of the people, from poverty occaſioned by decay of tillage and increaſe of paſturage, that they roſe in actual rebellion in the reign of Edward VI. and ſharpened by indigence and oppreſſion, demoliſhed in many counties the greateſt part of the incloſures. Here you ſee an exact prototype of the preſent diſturbances in Munſter, carried on by the rabble, originally called *levellers*, from their levelling the incloſures of commons, but now *White Boys*, from their wearing their ſhirts over their coats, for the ſake of diſtinction in the night. There it was a rebellion, here it is only a ſtar-light inſurrection; diſavowed by every body; and the impotence of thoſe engaged to do any thing effectual drives them into wanton and malignant acts of cruelty on individuals. Hopeleſs of redreſs, they are provoked to acts of deſperation. The rebellion in England did not remove the evil; it was not however altogether fruitleſs; a commiſſion was appointed to enquire into the cauſe of it, and from a proclamation thereupon iſſued, it appears, that government became poſſeſſed of the true ſtate of the caſe. It is ſo remarkably appoſite to the preſent ſtate of the South of Ireland, that I cannot forbear citing an extract or two from it. It ſets forth, "that the king, and the reſt "of the privy council were put in remembrance by divers pitiful complaints of the poor ſubjects, as "well as by other wiſe and diſcreet men, that of late, by encloſing arable ground, many had been "driven to extreme poverty, and compelled to leave the places where they were born, and ſeek "their livings in other countries; inſomuch, as in times paſt, where ten, twenty, yea in ſome places "two hundred people have been inhabiting, there is nothing now but ſheep and bullocks. All

" perſons of different perſuaſions, and that no marks of diſaffection to his " majeſty's perſon or government appeared in any of theſe people:"* which report was confirmed by the judges of the Munſter circuit, and by the dying proteſtations of the firſt five of the unhappy men, who were executed at Waterford, in 1762, for having been preſent at the burning of a Cabin, upon the information of an approver, who was the very perſon, that had ſet fire to it with his own hand. Fortunately for the country, Sir Richard Aſton,† lord chief juſtice of the Common Pleas, was ſent down upon a ſpecial commiſſion to try great numbers of theſe rioters; and ſo well ſatisfied with the impartiality of his conduct were the inhabitants of thoſe parts, that upon his return from Clonmell, where they were tried, he had the ſatisfaction of ſeeing the road lined on both ſides with men, women, and children, thanking him for the unbiaſſed diſcharge of his duty, and ſupplicating Heaven to bleſs him as their protector, guardian, and deliverer.

The execution of ſcores of theſe unfortunate objects of miſery and deſperation would not anſwer the views of thoſe, (and too many there ſhamefully were) who from their own private ends connived at and fomented theſe tumults. They ſought a victim of more renown; and ſelected Nicholas Sheehy, the pariſh prieſt of Clogheen in the county of Tipperary, a diſtrict then particularly infeſted by the White Boys, as a fit object for their wicked, though ultimately ineffectual, purpoſe of implicating the Catholic religion, the Pope, the French, and the Pretender in the tumultuary outrages of theſe

" that land which was heretofore tilled and occupied by ſo many men, is now gotten, by the inſa- " tiable greedineſs of men, into one or two men's hands; and ſcarcely dwelt upon by one poor " ſhepherd, ſo that the realm is thereby brought into marvellous deſolation, &c." The caſe of Ireland is now like that of England then. Some would inſinuate that Popery is at the bottom of what they call this dark affair; and to give their opinion an air of probability, they tell you, that the firſt riſing of theſe deluded people was in the very year that Thurot made a landing in the north of Ireland, and that Conflans was to have attempted the like in the ſouth. But I can find no evidence that the French king employed any agents, at this time, to practiſe on the diſcontents of the rabble of Munſter.

* Vide Dublin Gazette, and alſo *The Enquiry into the Cauſes of the Outrages committed by the Levellers per totum.*

† A more uncorrupt, firm, and humane judge never graced the Bench. The extraordinary exultation of the Iriſh on this occaſion, is a ſtrong though melancholy proof, that the chaſte impartiality and independence, from which that learned and revered judge never departed, had hitherto been a novelty to the Iriſh people. He has received the moſt honorable teſt of his uprightneſs in the blame caſt at him by the author of *The Memoirs of the different Rebellions in Ireland, p.* 84.

wretched

wretched deſperadoes. They had him proclaimed upon falſe informations; and a reward of 300*l.* was ſet upon his head. He, conſcious of his innocence, immediately upon hearing of the proclamation, offered to Mr. Secretary Waite to ſpare government the reward offered, and ſurrender himſelf inſtantly to take his trial out of hand; not indeed in Clonmel, where he feared the malice and power of his enemies would (as they afterwards proved) be too prevalent for juſtice, but in the court of King's Bench in Dublin. His propoſal having been accepted, he was accordingly brought up to Dublin, and tried there for rebellion, of which, however, after a ſevere ſcrutiny of fourteen hours, he was honourably acquitted; no evidence having appeared againſt him but a blackguard boy, a common proſtitute, and an impeached thief, all brought out of Clonmel jail, and bribed for the purpoſe of witneſſing againſt him.

His enemies, who had failed in their firſt attempt, were predetermined upon his deſtruction at all events. One Bridge, an informer againſt ſome of thoſe who had been executed for theſe riots, was ſaid to have been murdered by their aſſociates, in revenge, although his body could never be found,* and a conſiderable reward was offered for diſcovering and convicting the murderer. Sheehy, immediately after his acquittal in Dublin for rebellion, was indicted by his purſuers for this murder, and notwithſtanding the promiſe given him by thoſe in office on ſurrendering himſelf, he was tranſmitted to Clonmell, to be tried there for this new crime, and upon the ſole evidence of the ſame infamous witneſſes, whoſe teſtimony had been ſo juſtly reprobated in Dublin, was there condemned to be hanged and quartered for that murder.

The night before his execution, which was but the ſecond after his ſentence, he wrote a letter to Major Sirr, wherein he declared his innocence of the crime, for which he was next day to ſuffer death; and on the morning of that day, juſt before he was brought forth to execution, he, in preſence of the ſub-ſheriff and a clergyman who attended him, again declared his innocence of the murder; ſolemnly proteſting at the ſame time, as he was a dying man, juſt going to appear before the moſt awful of tribunals, that he never had engaged any of the rioters in the ſervice of the French king, by tendering

* It was poſitively ſworn, by two unexceptionable witneſſes, that he privately left the kingdom ſome ſhort time before he was ſaid to have been murdered. See notes of the trial taken by one of the jury in Exſhaw's Magazine for June 1766.

them

them oaths, or otherwiſe; that he never had diſtributed money among them on that account, nor had ever received money from France or any other foreign court, either directly or indirectly, for any ſuch purpoſe; that he never knew of any French or foreign officers being among theſe rioters; or of any Roman Catholics of property or note being concerned with them. At the place of execution he ſolemnly averred the ſame things, adding, that he never heard an oath of allegiance to any foreign prince propoſed or adminiſtered in his life-time; nor ever knew any thing of the murder of Bridge, until he heard it publickly talked of; nor did he know that there ever was any ſuch deſign on foot. The prompt ſurrender of Mr. Sheehy when he commanded the readieſt means of eſcape, his acquittal before a Dublin jury of the rebellion charged in the proclamation, and his being afterwards found guilty of the murder of Bridge upon the evidence of thoſe very ſuborned wretches, whoſe teſtimonies had been rejected on his former trial in the King's Bench, and were afterwards alſo rejected on the trial of a Mr. Keating for another pretended murder at Kilkenny, when coupled with other circumſtances of atrocious violence, intimidation, and injuſtice attending the trial of Sheehy, known to and teſtified by hundreds of eye witneſſes, many of whom are ſtill living, leave no doubt upon the mind of every unbiaſſed man, that Mr. Sheehy was the devoted victim of the rankeſt malice and perjury.*

In

* On the day of this man's trial, a party of horſe ſurrounded the court, admitting and excluding whomſoever they thought proper, while others of them with a certain knight at their head, ſcampered the ſtreets in a formidable manner, forcing into inns and private lodgings in the town, challenging and queſtioning all new comers, menacing his friends, and queſtioning his enemies. During the trial, Mr. Keating, a perſon of known property and credit in that country, having given the cleareſt and fulleſt evidence, that, during the whole night of the ſuppoſed murder of Bridge, the priſoner, Nicholas Sheehy, had lain in his houſe, that he could not have left it in the night time without his knowledge, and conſequently that he could not have been preſent at the murder; the Reverend Mr. H. an active manager in theſe trials, ſtood up, and after looking on a paper that he held in his hand, informed the court, that he had Mr. Keating's name on his liſt, as one of thoſe that were concerned in the killing a corporal and ſerjeant in a former reſcue of ſome of theſe levellers: upon which he was immediately hurried away to Kilkenny jail, where he lay for ſome time loaded with irons in a dark and loathſome dungeon. By this proceeding, not only his evidence was rendered uſeleſs to Sheehy, but alſo that of many others was prevented, who came on purpoſe to teſtify the ſame thing, but inſtantly withdrew themſelves, for fear of meeting with the ſame treatment. Mr. Keating was afterwards tried for this pretended murder at the aſſizes of Kilkenny, but was honourably

In vain from the beginning of theſe inſurrections did a certain party attempt to fix the body of Roman Catholics with the treaſon and diſloyalty attending them. The plain truth is, that theſe oppreſſed wretches being too ignorant to know the law, and too poor to bear the expence of it, betook themſelves to violence as to their only reſource. Fatal experience teaches us that mobs ſeldom riſe, till they have ſuffered ſome grievance; and ſeldomer diſperſe till they have occaſioned great miſchief. The very occaſion, which ſuch riſings afford to private, and ſecret, and generally unwarrantable engagements with each other, is one of the moſt pernicious evils, that can befal ſociety. Linked by common ties, they acquire gregarian firmneſs, but ſeldom coaleſce upon a ſpecific ground of grievance. Yet whilſt theſe *White Boys* continued to exiſt, they were generally conſiſtent in the nature of their complaints; of which however the loudeſt and moſt laſting were againſt the extortions of the tithe proctors; the landlords and graziers, in order to divert the irritation of this wretched and oppreſſed peaſantry from themſelves, did not ſcruple to cheriſh, or at leaſt connive at their reſiſtance to the ever

honourably acquitted; too late, however, to be of any ſervice to Mr. Sheehy, who had been hanged and quartered ſome time before Mr. Keating's acquittal. The very ſame evidence, which was looked upon at Clonmell as good and ſufficient to condemn Mr. Sheehy, having been afterwards rejected at Kilkenny, as prevaricating and contradictory, when offered againſt Mr. Keating. James Prendergaſt, Eſq. a Proteſtant of the eſtabliſhed church, a witneſs for Mr. Edmund Sheehy, depoſed, that on the day and hour on which the murder of Bridge was ſworn to have been committed, viz. about or between the hours of ten and eleven o'clock on the night of the 28th of October, 1764, Edmund Sheehy, the priſoner, was with him and others in a diſtant part of the country; that they and their wives had on the aforeſaid 28th of October, dined at the houſe of Mr. Teniſon, near Ardfinan, in the county of Tipperary, where they continued till after ſupper; that it was about eleven o'clock when he and the priſoner left the houſe of Mr. Teniſon, and rode a conſiderable way together on their return to their reſpective homes; that the priſoner had his wife behind him, that when he (Mr. Prendergaſt) got home, he looked at the clock, and found it was the hour of twelve exactly. This teſtimony was confirmed by ſeveral corroborating circumſtances, ſworn to by two other witneſſes, againſt whom no exception ſeems to have been taken: and yet becauſe Mr. Teniſon, although he confeſſed in his depoſition, that the priſoner had dined with him in October 1764, and does not expreſsly deny, that it was on the 28th of that month, but ſays, conjecturally, that he was inclined to think that it was earlier than the 28th, the priſoner was brought in guilty. This poſitive and particular proof, produced by Mr. Prendergaſt, with the circumſtances of the day and the hour, atteſted upon oath by two other witneſſes, whoſe veracity ſeems not to have been queſtioned, was overruled and ſet aſide, by the vague and indeterminate ſurmiſe of Mr. Teniſon. See Exthaw's, Gentleman's, and London Magazine, for April and June, 1766.

unpopular

unpopular demands of the clergy. This ſuffering and miſguided people bound themſelves to each other by an oath.*

The public mind was much agitated by theſe proceedings, and many undue means were uſed to exaggerate the evil, and convert it into a Popiſh plot to overturn the government, to maſſacre the Proteſtants, and to favour our enemies in their dreaded invaſion. Acts of popular outrage are committed generally by the lower order of the people; and as that order principally conſiſts in this kingdom of Roman Catholics, it was in ſome reſpect a natural conſequence to attribute the miſdemeanours of the Southern inſurgents, indiſcriminately, to perſons of that perſuaſion. The Houſe of Commons therefore appinted a committee "to enquire into the cauſes and progreſs of (what was termed) the Popiſh inſurrection in the province of Munſter."

†On the 23d of January, 1762, Mr. Hamilton, ſecretary to Lord Halifax, communicated to the Houſe of Commons the meſſage from the lord lieutenant, by which he informed them, that he had it in command from his majeſty, that after the moſt conciliatory efforts which his majeſty's moderation could dictate, or his royal dignity permit, affairs had been brought to an unhappy, though on his ſide inevitable, rupture with the court of Spain: that in conſequence his majeſty had directed an immediate augmentation of five battalions to the eſtabliſhment, which would render ſome further ſupplies unavoidably neceſſary beyond thoſe which they had already ſo liberally granted. And although in this addreſs to parliament there be an excluſive and par-

* Of which the following is ſaid to have been the form, and which the moſt wilful traducer of the Iriſh cannot diſtort into any engagement to the Pope, French, or Pretender:

"I do hereby ſolemnly and ſincerely ſwear, that I will not make known any ſecret now given "me, or that hereafter may be given me, to any one in the world, except a ſworn perſon belonging "to the ſociety called *White Boys*, or otherwiſe—Sive Ultagh's Children.

"Furthermore I ſwear, that I will be ready at an hour's warning, if poſſible, being properly "ſummoned by any of the officers, ſerjeants, or corporals belonging to my company.

"Furthermore I ſwear, that I will not wrong any of the company I belong to, of the value of "one ſhilling; nor ſuffer it to be done by others, without acquainting them thereof.

"Furthermore I ſwear, I will not make known, in any ſhape whatever, to any perſon that "does not belong to us, the name or names of any of our fraternity, but particularly the names of "our reſpective officers.

"Laſtly I ſwear, that I will not drink of any liquor whatſoever, whilſt on duty, without the con-"ſent of one or other of the officers, ſerjeants, or corporals; and that we will be loyal to one ano-"ther as far as in our power lies."

† 8 Journ. Com. p. 186.

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ticular application to his majeſty's Proteſtant ſubjects of Ireland, it was not as before had been the uſual ſtile of the caſtle, to call upon them to make head againſt, to reſiſt, or puniſh the common enemy; but as none but Proteſtants were members of the houſe which he was then addreſſing, and none but they could affect the revenue, his majeſty having in all exigencies the moſt full and firm reliance on the experienced affection and loyalty of his faithful Proteſtant ſubjects of Ireland, entertained no doubt that they would concur with their uſual chearfulneſs and unanimity in raiſing the additional ſupplies. The commons immediately reſolved on an addreſs of thanks to the lord lieutenant, to return thanks for the very important communications he had been pleaſed to make them; and to aſſure his excellency of the entire ſatisfaction which they had received from his prudent and juſt adminiſtration, during the courſe of which he had fully maintained the dignity of the crown, and at the ſame time gained the affection and eſteem of the *whole kingdom.** In conſequence of this meſſage, the augmentation was accordingly ordered, and another vote of credit paſſed for the raiſing of 500,000*l.* at five per cent. The Houſe of Commons alſo ſhortly after reſolved, that an addreſs ſhould be preſented to the lord lieutenant, requeſting that he would repreſent to his majeſty the ſenſe of that houſe, that the entertainments and appointments of the lord lieutenant of Ireland had become inadequate to the dignity of that high ſtation, and that it was the humble deſire of that houſe that his majeſty would be pleaſed to grant ſuch an augmentation to the entertainments of the lord lieutenant for the time being, as, with the then allowances, ſhould in the whole amount to the annual ſum of 16,000*l.* which meaſure was alſo effected.

At the cloſe of the ſeſſion of 1762, Lord Halifax, in his ſpeech to the parliament, thus alluded to the inſurrections of the *White Boys*:† "I muſt with "concern obſerve, that notwithſtanding the exemplary behaviour of all "ranks of people in this metropolis, and throughout the greateſt part of this "kingdom, ſome diſtant quarters of the country have been unhappily diſ-"turbed with tumults and riots of the lower ſort of people. I have on this "occaſion been reluctantly obliged to call out the military power, which is

* This would not have been the language of the commons, had there then in reality exiſted a Popiſh conſpiracy againſt the government of the country, as the malevolent party was endeavouring to make the public believe.

† 7 Journ. Com. p. 173.

" ſometimes the neceſſary, but ought always to be the laſt reſource of go-
" vernment. The officers ordered on that ſervice have executed their duty
" with activity and diſcretion. Theſe tumults are, I hope, wholly ſuppreſſed.
" Many of the perſons concerned in them are in cuſtody, and await the pu-
" niſhment of their offences. Others are fled from juſtice, and ſeem to
" want only an occaſion of returning to their reſpective habitations with
" impunity."

Amongſt the various duties of the hiſtorian, it is not the laſt or leaſt, to point out the ſources of diſorders, as the beſt and moſt efficient antidotes and remedies againſt their repetition. Although the *White Boys* were generally ſuppreſſed, yet the ſpirit of inſurrection was not eradicated: the roots of the evil had ſpread wider than the province of Munſter; for elſewhere alſo the lower orders were *wretched, oppreſſed, and impoveriſhed.*

As one inſurrection has frequently proved to be an encouragement or prelude to another, ſo Ireland was ſoon after diſturbed by riſings in other parts, but grounded on different principles; *Oak Boys* and *Hearts of Steel Boys* made their appearance ſucceſſively, in the northern countries.

The highways in Ireland were formerly made and repaired by the labour of houſekeepers. He who had a horſe, was obliged to work ſix days in the year; himſelf and horſe: he who had none, was to give ſix days labour. It had been long complained, that the poor alone were compelled to work; that the rich had been exempt; that inſtead of mending the public roads, the ſweat of their brows was waſted on private roads, uſeful only to overſeers. At length in the years 1763 and 1764, they ſhewed their reſentment. In the moſt populous, manufacturing, and conſequently civilized part of the province of Ulſter, the inhabitants of one pariſh refuſed to make more of what they called *job-roads*. They roſe almoſt to a man, and from the oaken branches, which they wore in their hats, were denominated *Oak Boys.*

The diſcontent being as general as the grievance, the contagion ſeized the neighbouring pariſhes: from pariſhes it flew to baronies, and from baronies to counties, till at length the greater part of the province was engaged. The many-headed monſter (as Dr. Campbell obſerves) being now rouſed, did not know where to ſtop, but began a general redreſs of grievances, whether real or imaginary. Their firſt object was the overſeers of roads; the ſecond the clergy, whom they reſolved to curtail of their tythes; the third was the landlords, the price of whoſe lands (particularly the *turf bogs*) they ſet about

about regulating. They had ſeveral inferior objects, which only diſcovered the phrenzy of inſurrection.

The army was hereupon collected from the other provinces; for till then the province of Ulſter was deemed ſo peaceful, that ſcarcely any troops were quartered in it. The rabble was ſoon diſperſed, with the loſs of a few lives; and the tumult was to appearance quelled in a few weeks. In the enſuing ſeſſion of parliament, the matter was taken into conſideration; the old act was repealed, and proviſion made for the future repairs of the roads, by levying a tax on both rich and poor. The cauſe of the diſcontent being thus happily removed, peace and quiet returned to their former channels. The riſing of the *Steel Boys* was not ſo general, but it was more violent, as proceeding from a more particularly intereſting cauſe;—the ſource of it was this: An abſentee nobleman, poſſeſſed of one of the largeſt eſtates in the kingdom, inſtead of letting it when out of leaſe, for the higheſt rent, adopted a novel mode, of taking large fines and ſmall rents. The occupier of the ground, though willing to give the higheſt rent, was unable to pay the fines; and therefore diſpoſſeſſed by the wealthy undertaker, who not contented with a moderate intereſt for his money, racked the rents to a pitch above the reach of the old tenant.

Upon this the people roſe againſt foreſtallers, deſtroying their houſes, and maiming their cattle, which now occupied their former farms. When thus driven to acts of deſperation, they knew not how to confine themſelves to their original object, but became like the *Oak Boys*, general reformers. The army however ſoon ſubdued them, and ſome who were made priſoners, having ſuffered by the hands of the executioner, the country was reſtored to its priſtine tranquillity. Both theſe inſurrections being in the north, the moſt opulent, populous, and civilized part of the kingdom, we may obſerve have no ſimilitude to that of the *White Boys* in the ſouth, either in their cauſes or in their effects, except in the general idea of oppreſſion. The cauſe which generated the one being removed, and that of the other being only temporary, the duration of neither was long: the riſe and fall of each was like that of a mountain river, which ſwelled by a broken cloud, at once overwhelms all around, and then ſhrinks down as ſuddenly into its accuſtomed bed.

The government of Lord Halifax ended with the ſeſſion of 1762: this

year was an eventful æra to the Britiſh empire. Mr. Pitt*, and afterwards the Duke of Newcaſtle, retired from his majeſty's councils, to make room for Lord Bute's adminiſtration, who is now generally admitted to have brought with him the higheſt ſublimation of Tory principles (with the exception of *Jacobitiſm*), and to have commanded more perſonal influence over his ſovereign, than a Buckingham or a Clarendon. This change in his majeſty's councils was the firſt check given to the Whig intereſt, by a prince of the houſe of Brunſwick.

No part of the Britiſh empire was more ſincerely and deeply affected by the ſucceſs of his majeſty's arms and the ſecurity of his government than Ireland. Upon the reſignation of Mr. Pitt, and the conſequent decline of the Whig intereſt,† to let in the Earl of Bute with new and oppoſite, but worſe than

* Mr. Pitt, whoſe vigorous and ſucceſsful adminiſtration had much endeared him to the people, having in October 1761 propoſed in the cabinet an immediate declaration againſt Spain, which he knew had recently entered into an alliance with France againſt Great Britain, and being only ſupported by his brother-in law, Earl Temple, he immediately reſigned, in order, to uſe his own words, *not to remain reſponſible for meaſures, which he was no longer allowed to guide*. The king granted him a penſion of 3000l. which with ſome difficulty and riſk of his popularity he accepted: though he then refuſed the peerage, which he afterwards accepted. But his lady was created Baroneſs of Chatham, with remainder to her heirs male.

† The truly maſterly ſtrokes of Mr. Burke upon this ſubject cannot fail to inſtruct and delight the reader. In his *Thoughts on the preſent Diſcontents*, written in 1770, whilſt the nation was ſenſibly alive to the conſequences of this new ſyſtem, he analyſes it from its ſource; and although it operated only by rebound, and perhaps imperfectly upon Ireland, yet in the uncontrolled dependance of the Iriſh adminiſtration on the Britiſh cabinet, his obſervations cannot be irrelevant to Ireland. "The power of the crown," ſays he, "almoſt dead and rotten, as prerogative, has grown up anew with much more ſtrength, and far leſs odium, under the name of *influence*. At the Revolution the crown, deprived, for the ends of the revolution itſelf, of many prerogatives, was found too weak to ſtruggle againſt all the difficulties, which preſſed ſo new and unſettled a government. The court was obliged therefore to delegate a part of its powers to men of ſuch intereſt, as could ſupport, and of ſuch fidelity, as would adhere to its eſtabliſhment. Such men were able to draw in a great number to a concurrence in the common defence. This connection, neceſſary at firſt, continued long after convenient, and properly conducted, might indeed in all ſituations be an uſeful inſtrument of government. The powerful managers for government were not ſufficiently ſubmiſſive to the pleaſure of the poſſeſſors of the immediate and perſonal favour; ſometimes from a confidence in their own ſtrength, natural and acquired: ſometimes from a fear of offending their friends, and weakening that lead in the country, which gave them a conſideration independent of the court. Men acted as if the court could receive, as well as confer an obligation. This method of governing

than the old Tory principles, the merchants and traders of Dublin in a body, not indeed legally repreſenting, but well known to ſpeak the ſentiments of the

ing by men of great national intereſt or great acquired conſideration was viewed in a very invidious light by the true lovers of abſolute monarchy. It is the nature of deſpotiſm to abhor power held by any means but its own momentary pleaſure; and to annihilate all intermediate ſituations between boundleſs ſtrength on its own part, and total debility on the part of the people. To get rid of all this intermediate and independent importance, and to ſecure to the court the unlimited and uncontrolled uſe of its own vaſt influence, under the ſole direction of its own private favour, has for ſome years paſt been the great object of policy. If this were compaſſed, the influence of the crown muſt of courſe produce all the effects, which the moſt ſanguine partizans of the court could poſſibly deſire. Government might then be carried on without any concurrence on the part of the people; without any attention to the dignity of the greater, or to the affections of the lower ſorts. A new project was therefore deviſed, by a certain ſet of intriguing men, totally different from the ſyſtem of adminiſtration, which had prevailed ſince the acceſſion of the houſe of Brunſwick. This project I have heard was firſt conceived by ſome perſons in the court of Frederick Prince of Wales. The earlieſt attempt in the execution of this deſign was to ſet up for miniſter, a perſon in rank indeed reſpectable, and very ample in fortune; but who, to the moment of this vaſt and ſudden elevation, was little known or conſidered in the kingdom: to him the whole nation was to yield an immediate and implicit ſubmiſſion. But whether it was for want of firmneſs to bear up againſt the firſt oppoſition, or that things were not yet fully ripened, or that this method was not found the moſt eligible, that idea was ſoon abandoned. The inſtrumental part of the project was a little altered, to accommodate it to the time, and to bring things more gradually and more ſurely to the one great end propoſed. The firſt part of the reformed plan was to draw a line which ſhould ſeparate the court from the miniſtry. Hitherto theſe names had been looked upon as ſynonimous, but for the future, court and adminiſtration were to be conſidered as things totally diſtinct. By this operation, two ſyſtems of adminiſtration were to be formed; one, which ſhould be in the real ſecret and confidence; the other merely oſtenſible, to perform the official and executory duties of government. The latter were alone to be reſponſible, whilſt the real adviſers, who enjoyed all the power were effectually removed from all the danger. Secondly, a party under theſe leaders was to be formed in favour of the court againſt the miniſtry: this party was to have a large ſhare in the emoluments of government, and to hold it totally ſeparate from, and independent of oſtenſible adminiſtration. The third point, and that, on which the ſucceſs of the whole ſcheme ultimately depended, was to bring parliament to an acquieſcence in this project. Parliament was therefore to be taught by degrees a total indifference to the perſons, rank, influence, abilities, connexions, and character of the miniſters of the crown, by means of a diſcipline, on which I ſhall ſay more hereafter; that body was to be habituated to the moſt oppoſite intereſts, and the moſt diſcordant politicks. All connexions and dependencies among ſubjects were to be entirely diſſolved. As hitherto buſineſs had gone through the hands of leaders of Whigs or Tories, men of talents to conciliate the people, and engage to their confidence, now the method was to be altered; and the lead was to be given to men of no ſort of conſideration or credit in the country. This want of natural importance was to be their very title to delegated power. Members of parliament were to

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the great majority of the people of Ireland, preſented a moſt grateful addreſs to Mr. Pitt, expreſſive of their admiration of his principles and conduct,

be hardened into an inſenſibility to pride, as well as to duty. Thoſe high and haughty ſentiments, which are the great ſupport of independence, were to be let down gradually. Point of honour and precedence were no more to be regarded in parliamentary decorum, than in a Turkiſh army. It was to be avowed as a conſtitutional maxim, that the king might appoint one of his footmen, or one of your footmen, for miniſter; and that he ought to be, and that he would be, as well followed as the firſt name for rank or wiſdom in the nation. Thus parliament was to look on, as if perfectly unconcerned; while a cabal of the cloſet and back ſtairs was ſubſtituted in the place of a national adminiſtration. With ſuch a degree of acquieſcence, any meaſure of any court might well be deemed thoroughly ſecure. The capital objects, and by much the moſt flattering characteriſtics of arbitrary power, would be obtained. Every thing would be drawn from its holdings in the country to the perſonal favour and inclination of the prince. This favour would be the ſole introduction to power, and the whole tenure, by which it was to be held: ſo that no perſon looking towards another, and all looking towards the court, it was impoſſible, but that the motive, which ſolely influenced every man's hopes, muſt come in time to govern every man's conduct; till at laſt the ſervility became univerſal, in ſpite of the dead letter of any laws or inſtitutions whatſoever. In the firſt place, they proceeded gradually, but not ſlowly, to deſtroy every thing of ſtrength which did not derive its principal nouriſhment from the immediate pleaſure of the court. The greateſt weight of popular opinion and party connexion were then with the Duke of Newcaſtle and Mr. Pitt. Neither of theſe held their importance by the new tenure of the court; they were not therefore thought to be ſo proper as others for the ſervices which were required by that tenure. It happened very favourably for the new ſyſtem, that under a forced coalition there rankled an incurable alienation and diſguſt between the parties, which compoſed the adminiſtration. Mr. Pitt was firſt attacked. Not ſatisfied with removing him from power, they endeavoured by various artifices to ruin his character. The other party ſeemed rather pleaſed to get rid of ſo oppreſſive a ſupport; not perceiving, that their own fall was prepared by his, and involved in it. Many other reaſons prevented them from daring to look their true ſituation in the face. To the great Whig families it was extremely diſagreeable, and ſeemed almoſt unnatural, to oppoſe the adminiſtration of a prince of the houſe of Brunſwick. Day after day they heſitated, and doubted, and lingered, expecting that other counſels would take place; and were ſlow to be perſuaded, that all which had been done by the cabal, was the effect not of humour, but of ſyſtem. It was more ſtrongly and evidently the intereſt of the new court faction, to get rid of the great Whig connexions, than to deſtroy Mr. Pitt. The power of that gentleman was vaſt indeed and merited; but it was in a great degree perſonal, and therefore tranſient. Theirs was rooted in the country. For with a good deal leſs of popularity, they poſſeſſed a far more natural and fixed influence. Long poſſeſſion of government; vaſt property; obligations of favours given and received; connexion of office; ties of blood, of alliance, of friendſhip (things at that time ſuppoſed of ſome force); the name of Whig, dear to the majority of the people; the zeal early begun and ſteadily continued to the royal family: all theſe together formed a body of power in the nation, which was criminal and devoted. The great ruling principle of the cabal, and that which animated and harmonized all their proceedings, how various

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duct, and their ſincere condolence that his country was deprived of his ſer-

ſoever they may have been, was to ſignify to the world, that the court would proceed upon its own proper forces only; and that the pretence of bringing any other into its ſervice was an affront to it, and not a ſupport. Therefore, when the chiefs were removed, in order to go to the root, the whole party was put under a proſcription ſo general and ſevere, as to take their hard-earned bread from the loweſt officers, in a manner, which had never been known before, even in general revolutions. But it was thought neceſſary effectually to deſtroy all dependencies but one, and to ſhew an example of the firmneſs and rigour with which the new ſyſtem was to be ſupported.

"I reſt a little the longer on this court topick, becauſe it was much inſiſted upon at the time of the great change, and has been ſince frequently revived by many of the agents of that party: for, whilſt they are terrifying the great and opulent with the horrors of mob-government, they are by other managers attempting (though hitherto with little ſucceſs) to alarm the people with a phantom of tyranny in the nobles. All this is done upon their favourite principle of diſunion, of ſowing jealouſies amongſt the different orders of the ſtate, and of disjoining the natural ſtrength of the kingdom, that it may be rendered incapable of reſiſting the ſiniſter deſigns of wicked men, who have engroſſed the royal power.

"It muſt be remembered, that ſince the Revolution, until the period we are ſpeaking of, the influence of the crown had been always employed in ſupporting the miniſters of ſtate, and in carrying on the public buſineſs according to their opinions. But the party now in queſtion is formed upon a very different idea. It is to intercept the favour, protection, and confidence of the crown in the paſſage to its miniſters; it is to come between them and their importance in parliament; it is to ſeparate them from all their natural and acquired dependencies; it is intended as the control, not the ſupport, of adminiſtration. The machinery of this ſyſtem is perplexed in its movements, and falſe in its principle. It is formed on a ſuppoſition that the king is ſomething external to his government, and that he may be honoured and aggrandized, even by its debility and diſgrace. The plan proceeds expreſsly on the idea of enfeebling the regular executory power. It proceeds in the idea of weakening the ſtate in order to ſtrengthen the court. The ſcheme depending entirely on diſtruſt, on diſconnexion, on mutability by principle, on ſyſtematic weakneſs in every particular member; it is impoſſible, that the total reſult ſhould be ſubſtantial ſtrength of any kind.

Then having given a moſt pointed ſketch of this new court corporation, he ſays: "The name, by which they chuſe to diſtinguiſh themſelves, is that of *king's men*, or the *king's friends*, by invidious excluſion of the reſt of his majeſty's moſt loyal and affectionate ſubjects. The whole ſyſtem, comprehending the exterior and interior adminiſtrations, is commonly called, in the technical language of the court, *double cabinet*. This ſyſtem has not riſen ſolely from the ambition of Lord Bute, but from the circumſtances, which favoured it, and from an indifference to the conſtitution, which had been for ſome time growing among our gentry. We ſhould have been tried with it, if the Earl of Bute had never exiſted, and it will want neither a contriving head nor active members, when the Earl of Bute exiſts no longer." Thus ſpoke this great man in the unchecked vigour of his mind, ere he had yet diſcovered the difference between an *Old* and a *New* Whig.

vices.

vices.* The merchants, traders, and citizens of Dublin at this time being the moſt opulent and conſiderable body of men in the kingdom, appear to have taken the lead of all their countrymen in watching and forwarding, according to their rights and abilities, the civil intereſts of the nation; in which they were encouraged and directed by the famous Dr. Lucas, who (after having triumphed over all his enemies and perſecutors) now repreſented them in parliament.

On the very firſt day of the ſeſſion of the laſt parliament (viz. 22 Oct. 1761) the commons ordered, that leave be given to bring in heads of a bill to limit the duration of parliaments: and Dr. Lucas, Mr. Perry, and Mr. Gorges Lowther were ordered to bring in the ſame.† This favourite and conſtitutional meaſure had been moſt ſtrongly recommended by Dr. Lucas, in imitation of the Engliſh ſeptennial bill: he accordingly preſented according to order, on the 28th of October, heads of a bill for limiting the duration of parliaments, which were received, read, and committed: ſeveral amendments were propoſed and adopted in the committee. On the 9th of December, 1761, Mr. Lowther, according to order, reported from the committee of the whole houſe, to whom the heads of the bill had been committed, that they had gone through the ſame, which he read in his place, and afterwards delivered in at the table; and they were accordingly read and agreed to. But when a motion was made, and the queſtion put, that the ſpeaker with the houſe ſhould attend his excellency the lord lieutenant with the heads of the bill, and deſire the ſame might be tranſmitted into Great Britain in due form, and that his excellency would be pleaſed to recommend the ſame in the moſt effectual manner to his majeſty; the houſe divided, 43 for the motion, and 108 againſt it. This majority of 65 upon a queſtion ſo reaſonable, ſo neceſſary, and ſo conſtitutional, ſhews the rapid decline of the patriotic intereſt in Ireland after the late changes: the reduction of which was very artfully effected by the two firſt of the lords juſtices, Primate Stone, the Earl of Shannon, and Mr. John Ponſonby, the ſpeaker. The houſe however ordered, that Mr. G. Lowther ſhould attend his excellency the lord lieutenant with the ſaid heads of a bill, and deſire the ſame

* It has often been ſaid, that the late Earl of Chatham was a Tory at heart, notwithſtanding his boaſted avowals of Whiggiſm. That in his youth he was a Tory appears more than probable: but it would be too harſh a cenſure to paſs on ſo great a ſtateſman, to conclude that his converſion to Whiggiſm was the effect of intereſt, and not of conviction. Vid. the addreſs, App. No. LXIX.

† 7 Com. Journ. p. 14.

might

might be tranſmitted into Great Britain in due form. Thus was Mr. Lucas's firſt patriotic bill loſt, to the no ſmall diſappointment and mortification of the people out of doors. It is highly material to obſerve, that in proportion as patriots fell off in parliament, they ſprang up out of it. This miniſterial triumph was followed by no popular diſturbance, but great diſcontent: it produced a more alarming effect upon the caſtle: riot and inſurrection they could eaſily have ſubdued, and the quelling thereof would have juſtified the very meaſures, that had excited them. But the people's cool, conſiderate, and firm conduct in inveſtigating and peaceably following up their rights and intereſts, was truly to be dreaded by thoſe, who were attempting to invade and thwart them. After much canvaſſing the conduct of their popular repreſentatives in parliament on this important occaſion, in March 1762 the merchants, traders, and citizens of Dublin having aſſembled, came to the following reſolutions, viz.

" Reſolved, That we ſhall ever retain the moſt grateful remembrance of " the ſeveral lords and commons, who, in their reſpective ſtations, have ſo " eminently diſtinguiſhed themſelves in ſupport of the Septennial Bill.

" Reſolved, That although we reſt ſecure againſt common enemies, under " the protection daily given us by Great Britain, our protection againſt " domeſtic invaders depends wholly on the limitation of parliaments.

" Reſolved, That the clandeſtine arts which are uſually practiſed (and " have been ſometimes detected) in obſtructing of bills tending to promote " the Proteſtant intereſt, ought to make Proteſtants the more active in ſup- " porting the Septennial Bill; the rather, as no doubt can remain, that a " ſeptennial limitation of parliaments, would render the generality of land- " lords aſſiduous in procuring Proteſtant tenants, and that the viſible advan- " tage accruing, would induce others to conform.

" Reſolved, That theſe, our reſolutions, be preſented to the repreſentatives " of this city in parliament, intreating they will immediately take into their " moſt ſerious conſideration, the ſtate of the Septennial Bill, now five months " in its progreſs; the ſeſſion of parliament near its end; all aids within the " ability of this nation given with unanimity and chearfulneſs to the crown; " and nothing yet known, with certainty, touching this act of redreſs."

Theſe reſolutions, and other popular expreſſions of the general diſcontent at the failure of the Septennial Bill raiſed an awful alarm in government: and they moſt unwiſely rivetted the convictions of the people, that the

Britiſh miniſtry was againſt the meaſure, by a counter-declaration wrapped up in the following reſolutions of the Houſe of Commons.*

" Reſolved, That the ſuggeſtions confidently propagated, that the heads " of a bill for limitting the duration of parliaments, and aſcertaining the " qualifications of members to ſerve in parliament, if they had returned " from England, would have been rejected by this houſe, though in nowiſe " materially altered, are without foundation." Loudly as the public called for ſuch a law, ſeveral years paſſed, and imperious circumſtances aroſe, ere Ireland obtained it. The failure in this attempt did not abate the patriotic efforts of Dr. Lucas. He preſented heads of a bill for ſecuring the freedom of parliament, by aſcertaining the qualifications for knights, citizens, and burgeſſes of parliament, and alſo of another bill for better ſecuring the freedom of parliament, by vacating the ſeat of ſuch members of the Houſe of Commons, as ſhould accept of any lucrative office or employment from the Crown, or any perſon on the eſtabliſhment of Great Britain or Ireland: neither of which ſucceeded: ſuch was the aſcendancy of the court party over the patriots: It was now no longer called the *Engliſh intereſt*, for Primate Stone was too good a politician to keep up that offenſive term, after he had ſo ſucceſsfully brought over ſome of the leading patriots to his ſide, who in ſupporting all the meaſures of the Britiſh cabinet, affected to do it, ſtill as *Iriſh Patriots.*

The Earl of Halifax had been recalled to England to ſucceed Mr. G. Grenville as ſecretary of ſtate:† and the Earl of Northumberland came over as lord lieutenant to Ireland to meet the parliament, in October, 1763. His ſpeech to the parliament, on this occaſion, was expreſſive of his majeſty's juſt and gracious regard for a *dutiful and loyal people:* he congratulated them on the happy effects of ſo glorious a peace, and the birth of the Prince of Wales, and alſo of another prince. The remainder of his ſpeech, referred to the diſturbances in the province of Ulſter, of which mention has been before made. " Not only," ſaid his excellency, " my duty, but my earneſt good " wiſhes for the proſperity of Ireland, oblige me to take this opportunity of " mentioning to you, the only unpleaſing circumſtance, which has occurred

* On the 26th of April 1762. Com. Journ. vol. 7. p. 168.

† This happened on the 14th of October, 1762, which ſituation he held till July 12, 1765, when he was ſucceeded by the Duke of Grafton.

ſince

" ſince my entrance upon this government; the tumultuous riſings of the " lower ſort of people, in contempt of all laws and magiſtracy, and of every " conſtitutional ſubordination, muſt, if not early attended to, be productive " of the moſt fatal conſequences; they are a diſgrace to a country of liberty; " they are ruinous to a country of commerce; and muſt be particularly " fatal here, where the leaſt check to the riſing ſpirit of induſtry is ſo very " ſenſibly felt, and ſo very difficult to be relieved; no means can ſerve more " effectually to prevent theſe diſorders for the future, than the encourage- " ment of ſuch inſtitutions, as tend to impreſs on the minds of the lower " order of the people early habits of induſtry, and true principles of reli- " gion."

It has been before obſerved,* that the chief of the Munſter inſurgents, called *White Boys*, were Catholic labourers: and that the chief of the Ulſter inſurgents called *Steel Boys*, *Oak Boys*, *Peep of Day Boys*, were chiefly manufacturing Proteſtants in the north: but as religion was no ingredient to theſe tumultuous inſurrections, it was certainly ſomething more than haſty or inconſiderate prejudice in the Houſe of Commons, when in 1762† they appointed a committee to enquire into the cauſes and progreſs of the ſubſiſting *Popiſh inſurrection* in the province of Munſter:‡ and when in 1764 they appointed a ſimilar committee to enquire into the cauſes of the late tumultuous riſings in the province of Ulſter; ſo far indeed was the houſe from calling them *Proteſtant inſurrections*, which in fact they were, as much as thoſe in Munſter were *Popiſh*, that when a motion was made and the queſtion propoſed, that it ſhould be an inſtruction to the committee to enquire into the cauſes of thoſe riſings, and into the means uſed to ſuppreſs them, and alſo to enquire into the cauſes of the inſurrections in the ſouth, and to report the whole matter, as it ſhould appear to them ſpecially, it was negatived in a diviſion upon the previous queſtion of eighty againſt twenty-ſix: thus was the door ſhut againſt enquiry, probably from apprehenſion, that the truth ſhould be recorded, and an effectual ſtop put to the ſyſtem of converting popular diſcontents into the engines of ſtate intrigues, to the palpable detriment of the nation: for to know the ſource of a diſorder, is the firſt ſtep to its cure. When the majority of the houſe rejected this moſt

* On the impartial authority of Arthur Young.

† Journ. Com. vol. 7, p. 161. ‡ Ibid. p. 293.

neceſſary motion for enquiry and report: *they received from their committee ſeveral reſolutions, which Mr. Bagwell reported to the houſe, and theſe they palmed upon the nation, as an efficient check upon the various tumultuous rioters. They were truiſms in form of reſolutions, that riots exiſted, that unleſs checked they would be attended with fatal conſequences, that the laws if properly executed were ſufficient to reſtrain the rioters, that it was the duty of magiſtrates to enforce the law, that to tender oaths, (not being lawfully authoriſed) with threats and violence in caſe of refuſal, was a high offence puniſhable by law, and that it would tend to ſuppreſs and prevent the like diſorders, if the abhorrence in which government and parliament held theſe treaſonable offences, were made known to the deluded people. Such unmeaning generalities could produce no effect. They gave no information: they furniſhed no redreſs: they ſupplied no means: they afforded no ſecurity: they effected no reſtraint.

Notwithſtanding the patriots had ſo often failed in their parliamentary efforts to bring meaſures into ſome conſtitutional conſiſtency, they ſtill perſevered, particularly in their attempt to reduce and regulate the penſion liſt. The commons reſolved themſelves into a committee of the whole houſe to take into conſideration the ſtate of the penſions upon the civil eſtabliſhment of that kingdom, and how the encreaſe of them might be prevented: but the motion for addreſſing his majeſty on the ſubject was negatived on a diviſion of 112 againſt 73. So weak were now the patriots in the commons.† Penſions con-

* Journ. Com. vol. 7. p. 293.

† This motion being very ſpecial and important, will let the candid reader into the ſpirit, which at that time, (8th of November, 1763) directed the councils of the Iriſh adminiſtration. 7 Journ. Com. p. 198. "A motion was made, that an humble addreſs be preſented to his majeſty, to "repreſent in the moſt dutiful terms, that the debt of this kingdom is become very great. That "the penſions now in being, that have been placed on the eſtabliſhments of this kingdom, are one "of the cauſes of the encreaſe of the public debt. That thoſe penſions have been paid, and "continue to be paid out of all the revenues of this kingdom without diſtinction. That it appears "to this houſe to be worthy of his majeſty's royal conſideration, whether the grants that have been "made of thoſe penſions are agreeable to or warranted by the laws of this kingdom, and whether "the revenues of the crown, that have been given for public uſes, ought, or can by law be applied to "penſions: and therefore moſt humbly do beſeech his majeſty to order it to be made known, as "his majeſty's royal will and command, to the officers of the treaſury of this kingdom, that no "part of the revenues of exciſe, cuſtoms, poundage, hearth money, quit rents, ale licences, wine,

"or

continued to be laviſhed with unchecked profuſion. The debate on this queſtion was rather warm. *Mr. J. Fitzgerald took the lead on the patriot ſide. He ſtated, (and was not contradicted) that the penſions then charged upon the civil eſtabliſhment of that kingdom amounted to no leſs than 72,000*l.* per ann. beſides the *French* and *military* penſions, and beſides the ſums paid for old and now unneceſſary employments, and thoſe paid in unneceſſary additions to the ſalaries of others: that the penſions therefore exceeded the civil liſt above 42,000*l.*: that not only ſince the houſe in 1757 had voted the encreaſe of penſions alarming, had they been yearly encreaſed; but that in the time of a moſt expenſive war, and when the country had willingly and chearfully increaſed a very conſiderable national debt; and when the additional influence of the crown from the levying of new regiments might well have ſubſtituted the neceſſity of new penſionary gratifications. He then drew a piteous portrait of the country; not one third peopled; two thirds of the people unemployed, conſequently indolent, wretched and diſcontented;

" or ſtrong water licences, or of the additional duties granted or to be granted in this kingdom, for " any limited term, be paid or applied to any penſion or annuity granted or to be granted out of, " or which may any ways charge or effect the ſaid revenue of exciſe, cuſtoms, poundage, hearth " money, quit rents, ale licences, wine, and ſtrong water licences, and additional duties, or any of " the ſaid revenues, till it ſhall firſt be determined by a court of juſtice of competent juriſdiction, " that the crown may grant annuities or penſions out of the ſaid revenues; and that his majeſty " may be graciouſly pleaſed to give his royal orders to the officers of the treaſury, that no penſions be " paid out of the ſaid revenues, in any other manner than the judgment or decree of a court of compe- " tent juriſdiction ſhall determine to be juſt, and agreeable to the laws of this kingdom; and that his " majeſty be graciouſly pleaſed to order his majeſty's ſervants of the law in this kingdom, to make " that defence that the laws of *this* kingdom ſhall warrant, to every ſuit that ſhall be commenced " or carried on by any penſioner or annuitant, claiming any part of the ſaid revenues, till it ſhall be " judicially determined in the moſt ſolemn manner, and by the dernier reſort, that the crown may " grant penſions or annuities out of the ſaid revenues. That his majeſty's faithful commons never- " theleſs do by no means intend, that the crown ſhall be deprived of the means of rewarding merit " or conferring thoſe bounties on proper occaſions, that the honour and dignity of the crown may " require; but that his majeſty's faithful commons, on the contrary, will be ready to provide a " revenue ſuch as the condition and circumſtances of this kingdom ſhall admit of, to enable the " crown to reward merit, and on proper occaſions to confer thoſe bounties that may be ſuitable " to the honour and dignity of the crown, if it ſhall be determined, that the preſent revenues of " the crown, that have been given for public uſes, ought not to be applied to penſions. Provided " thoſe revenues be reſerved and applied to the ſupport of his majeſty's government in this king- " dom only."

* 1 Cald. Deb. p. 213, 14, 15.

neither

neither foreign trade, nor home conſumption ſufficient to diſtribute the conveniences of life among them with reaſonable equality, or to pay any tax proportionable to their number; what new mode of taxation could be deviſed? Would they tax leather, where no ſhoes were worn, or tallow where no candles were burned? They could not tax the roots of the earth and the water on which the wretched peaſantry exiſted; they could tax no commodity, that would not defeat itſelf, by working a prohibition. He then entered into the legal and conſtitutional rights of the crown over the public revenue, and ſtrongly reſiſted the aſſumed right of charging the public revenue with private penſions. The crown, he contended, had a public and private revenue; the public it received as a truſtee for the public; the private it received in its own right; the former aroſe out of temporary duties and was appropriated by parliament to ſpecific public purpoſes, and was not left to the diſcretionary diſpoſal of the crown. The latter did not in Ireland exceed 7000*l.* per ann. and the penſions amounting to 72000*l.* exceed the fund, which could alone be charged with them by 65000*l.* per ann.

The court party ſtrenuouſly reſiſted theſe arguments, as an unconſtitutional and indecent attack upon the prerogative; inſiſting that the regal dignity ſhould be ſupported by a power to reward as well as to puniſh; that the king was not to hold a ſword in one hand and a barren ſceptre in the other; that the two great ſprings of all actions were hope and fear; and where fear only operated, love could have no place; that a people ſtimulated only by fear, however free, and whatever advantages of government they might boaſt, were in a worſe ſtate, than the ſubjects of a deſpotic prince. In a word, that an enquiry into the legality of theſe grants would reſtrain the king's power of doing good. What the opinion of the government was upon the queſtion, was very explicitly ſet forth by the regular law-officer of the crown, Mr. Philip Tiſdal, the attorney-general; he was of opinion, that the king had an indefinite and uncontrolled right to charge the money brought into the treaſury with penſions ariſing from the words of the preamble of the ſtatutes, by which the ſeveral duties were laid; and that the crown had this power with reſpect to duties raiſed by the very ſtatutes, that declare them not chargeable with penſions; for that the barring clauſes with reſpect to the hearth money and ale licenſes could affect them only before they were brought into the treaſury, and that the moment they became part of the aggregate fund,

fund, they were indiſcriminately a ſupply for the exigencies of government and its ſupport.

On another *day, when a motion in the houſe was carried for taking into conſideration the ſtate of the penſions, Mr. R. Fitzgerald took occaſion to ſtate to the houſe, what was not contradicted by thoſe, whoſe duty as well as diſpoſition it was to correct any falſe ſtatement, upon matters of ſo much importance and notoriety. It lamentably proves, that the poverty and dependance of Ireland were wiſhed to be continued by thoſe, who then governed her. Inſtead of 30 regiments upon the eſtabliſhment, there then were 42, with the ſame number of men, viz. 12,000: this augmentation of 12 regiments, beſides a large addition of court influence, created an additional expenditure of 15,000l. per annum, ſo that the military eſtabliſhment then amounted to 100,000l. per annum, more than in the height of the war, beſides military contingencies and barracks, which amounted to a very conſiderable ſum: that in fact the military and civil eſtabliſhment with the penſions would only leave 30000l. out of the whole revenue of the country; which ſum would be more than ſwallowed up by the artillery and *laboratory*, an amphibious inſtitution, that might be carried on without control: that the ſtaff of general officers in Ireland amounted to 22,000l. per annum, though in England it did not exceed 11,000l. and notwithſtanding, there were ſeldom general officers ſufficient in Dublin to form a board.

The patriots had ſo managed the enquiry into the penſions, that they had on the 9th of the month brought the houſe to agree, that the penſions on the civil eſtabliſhment were an intolerable grievance: on the ſame day they paſſed an unanimous reſolution, that on the Tueſday following, they ſhould take that grievance into conſideration, which they deferred to the next day, when a moſt violent and angry debate enſued, upon the attorney general's moving, that the queſtion ſhould be adjourned to the 1ſt of July next: the diviſion for putting off the enquiry was 126, againſt it 78.†

The

* 12 Nov. 1763. 1 Cald. Deb. p. 308.

† 8 Com. Journ. p. 227. In this debate Mr. Pery, member for Limerick, ſpoke thus: 1 Cald. p. 324. "I am ſorry to ſay that, notwithſtanding theſe reſolutions, I have but too much reaſon to believe the fitting of ſuch a committee was never intended; and I think it my duty to communicate ſuch reaſon of my belief to the Houſe. As I was coming laſt Monday from the four courts, in my chair, I was ſtopped by a particular friend, a gentleman of great worth and conſequence, who

The tenacity and perſeverance, with which the patriots purſued this abuſe of penſions extremely annoyed the court party: they could not have taken more popular ground. A penſion of 1000l. had been granted to Mr. De Verois, the Sardinian ambaſſador (in the name of George Charles), for having negociated the peace, which had been lately concluded with the miniſter of France. On this ground Mr. Pery moved the houſe, that an humble addreſs* ſhould be preſented to his majeſty, ſtrongly expreſſive of the impropriety

who aſked me, whether I intended to go that day to the Houſe. I anſwered, that I did not, as I knew of nothing that made my attendance neceſſary; and that, as I had been much fatigued by buſineſs of the Houſe, and by the courts, I intended to make that a day of reſt." He replied, "You may not only take your reſt this day, but every other day of the ſeſſions, for things are now "fixed ſo as to admit of no alteration; no enquiry will be made into the ſtate of the penſions, "nor any thing elſe done, but what has been agreed upon with thoſe, who are to take the lead." To this I anſwered with great ſurprize, that I could ſcarce think what he told me was poſſible: that the Houſe had been unanimous for examination, and had actually appointed a committee for that purpoſe, but a few days ago; that the public expected it, and to diſappoint them in an expectation ſo reaſonable, and on an occaſion ſo important, would be wholly inconſiſtent with the dignity, as well as the duty of the Houſe, as the members would then appear to be nothing more than ſtate puppets, with wires in their noſes; by which they were turned firſt one way, and then another, juſt as thoſe, who had the management of them thought fit."

Mr. Pery was interrupted by the attorney general, who addreſſed himſelf in a very angry ſtrain to the Houſe. "I hope every gentleman in this Houſe feels a proper diſdain at being repreſented as a puppet, moved by dictates of another's will, and ſufficient ſpirit to ſhew, by his conduct, that he acts upon principles of freedom and independence, by the determination of his own judgment. As to the enquiry in queſtion, I ſhall, for my own part, oppoſe it from a full conviction, that it is unneceſſary; what could we hope more from this enquiry, than an aſſurance from his majeſty, that he has conſidered the grievance, and will redreſs it? And this aſſurance he has been graciouſly pleaſed to give us already. It is indeed true, that this aſſurance has not come before the Houſe, with the ſolemnity of a formal meſſage; but gentlemen ſeem to forget that his majeſty could not communicate it in that manner, conſiſtent with his character and dignity. The intimation to the lord lieutenant is a favour, and, if his majeſty is graciouſly pleaſed to wave his prerogative in our behalf, are we to expect, that he ſhould do it in a way, that would imply a conſcioufneſs of his having abuſed it? His majeſty has, in this inſtance, treated us with condeſcenſion and kindneſs, of which, I may venture to ſay, we have no precedent; and ſhall we return it with remonſtrance and complaints? Shall we refuſe a favour from our gracious prince, merely becauſe it is not offered in a manner that would degrade himſelf?"

† 7 Com. Journ. p. 239. 24 Nov. 1763. A motion was made, and the queſtion being put, that an humble addreſs be preſented to his majeſty, to aſſure his majeſty of the inviolable attachment to his royal perſon and family; that we have the firmeſt reliance on his majeſty's wiſdom, juſtice, and

priety and miſchief of ſuch grants, which produced a ſtill more impaſſioned debate than the former; the addreſs was negatived by 124 againſt 58. The prevailing argument on the court ſide was uſed by Mr. Gore, the ſolicitor general. "The voice," ſaid he, "of the majority, is the voice of the nation, "and in that once given we ought to acquieſce. Give me leave, Sir, to "add, that the majority, by which the late queſtion has been determined, "conſiſts of gentlemen of rank and abilities; gentlemen, who have great "property to ſecure, and great characters to maintain; and I think there "never ſate in any national aſſembly of any age, or any country, perſons, "who had more the conſtitutional rights of the people at heart, or knew "better how they were to be maintained." The prominent zeal of Mr. Gore in ſupporting the court party was ſoon rewarded; he was raiſed over the head of Mr. Tiſdall, the attorney general, to the head of the King's Bench, and was ſoon after created Lord Annaly. With unrelenting perſeverance the patriots followed up this popular ground of oppoſition. On the 13th of December Mr. Pery again came forward, and although he had been very unfortunate in the propoſals, that he had made with a view to the public advantage, yet, ſaid he, it was his duty to perſevere; let the current therefore run ever ſo ſtrongly againſt him, he was determined to ſtrive againſt it to the laſt; and though he might not be able to ſtop, or turn its

and tender regard for his ſubjects of this kingdom; but that we ſhould fail in our duty to his majeſty, and deſert the truſt repoſed in us by thoſe we repreſent, ſhould we longer defer laying before his majeſty the real ſtate of this kingdom, which we have ſome reaſon to fear may not yet have been fully preſented to his majeſty's view. That we preſume to do ſo from a firm perſuaſion, that his majeſty will not believe, that we are prompted to it by the ſpirit of faction, but impelled by the neceſſities of the kingdom; and that we have nothing in view but his majeſty's honour and proſperity of our country. That during the late ſucceſsful war we exerted our utmoſt efforts for the ſupport of his majeſty's government, and to raiſe ſuch ſupplies as his majeſty thought neceſſary for his ſervice, though it was with the greateſt difficulty we could even provide for payment of the intereſt of the ſums we were obliged to borrow for that purpoſe. But at the ſame time we could not without the utmoſt concern obſerve, though we lamented it in ſilence, the great continual encreaſe of penſions, and that a conſiderable part of the ſums, which were deſtined for public uſes, were diverted to private purpoſes. That this is one great cauſe of the heavy debt, which oppreſſes the kingdom, and which we can ſcarce ever hope to diſcharge, deprived as we are of thoſe reſources from trade, with which the other parts of his majeſty's domains are bleſſed. That any conſiderable addition to this burthen muſt depopulate this kingdom, already much exhauſted of its inhabitants. That we preſume with all humility to lay theſe our circumſtances before his majeſty, not doubting, that they will excite in his royal breaſt thoſe ſentiments, which are ſo natural to his princely diſpoſition.

courſe, his reſiſtance to it would at leaſt prevent his being carried away before it.* He accordingly moved, though with his uſual want of ſucceſs, that an humble

* Mr. Pery's introduction to his motion is ſo illuſtrative of the hiſtory of his country at this critical period, that the reader will thank me for ſubjoining it. 2 Cald. p. 578. "I have greater reaſon to hope for ſucceſs in my preſent propoſal, than in any that I have yet made, for it is a propoſal to do what his majeſty has, in the moſt gracious and emphatical manner, recommended to be done in his ſpeech from the throne, the practice of œconomy, and the reduction of our debt." The words of the ſpeech are theſe, "The ſituation of public affairs will permit a very conſiderable diminution of the public expence, and I am only to thank you for your paſt efforts, without again having recourſe to the experienced liberality of parliament, I have nothing to aſk but a continuance of the ſupplies, for the ſupport of the ordinary eſtabliſhment, which, it is hoped, will not exceed the produce of the ordinary revenue, and I recommend to you a proper attention to the reduction of the public debt." I am ſorry there ſhould be any occaſion to enforce an addreſs, with which it is ſo manifeſtly both our intereſt and duty to comply, yet certain it is, that we have ſo far neglected it, that a conduct directly oppoſite to that here recommended has already brought us to the verge of ruin, and, if continued, will plunge us to the bottom. That I may not appear to create evils, which I do not find, I ſhall repreſent the preſent ſituation of this country by a ſeries of facts, too notorious not to be believed, and too formidable not to be feared; by which it will appear, that we have tamely and ſilently acquieſced in the violation of theſe aſſurances, and totally neglected this advice. We have been ſo far from being relieved from the burthen of taxes, which, when they were indiſpenſibly neceſſary, we were little able to bear, that an unexpected requiſition of ſupplies has been made with a long train of penſions, which exceed the expence of all other branches of the civil eſtabliſhment, by above forty-two thouſand pounds. The number of military officers is encreaſed, not only far beyond what it has ever been in time of peace, but even beyond what it has ever been during the moſt dangerous war. We have two more regiments of dragoons, and four regiments of foot, more than ever; beſides four old regiments of horſe; the expence of general officers is encreaſed no leſs than thirteen thouſand pounds a year, though there were not a ſufficient number of them in this kingdom, to attend the laſt reduction of forces; the expence of the ordnance is, in two years, ſwelled from ten thouſand ſix hundred pounds, to above forty-five thouſand pounds, though the whole artillery of the kingdom is not equal to the ordnance of a frigate of thirty guns, and every other branch of the civil and military eſtabliſhment is encreaſed nearly in the ſame proportion, ſo that the expence of the nation for theſe two years appears, by the moſt exact calculation, to exceed its whole revenue more than three hundred and fourteen thouſand pounds, which deficiency being added to the national debt, we muſt at the next meeting of parliament owe more than one million. It appears alſo by calculation, that the preſent eſtabliſhments in time of peace exceed the eſtabliſhments during the laſt war more than ninety-ſeven thouſand pounds. Let us now, ſir, pauſe a moment, and conſider what we have been doing; and how we have availed ourſelves of a ſituation of affairs, which admits a conſiderable diminution of the public expence; how we have fulfilled his majeſty's gracious admonition to attend to the reduction of our public debt? We have granted all the ſupplies, that have been demanded for the ſupport of theſe eſtabliſh-

humble addreſs ſhould be preſented to his majeſty on the ſtate of the nation, and reſpecting the encreaſed expence of the civil and military eſtabliſhments; and as that addreſs contains an authentic ſtatement of the real ſituation of Ireland at that time, it follows in the very words of the motion: " *I move " that an humble addreſs be preſented to his majeſty, to acknowledge with " the utmoſt gratitude his majeſty's moſt gracious acceptance of our paſt " ſervices. To aſſure his majeſty of our firm reſolution to purſue ſuch " meaſures, as ſhall tend moſt to promote the real intereſt and honour of " the crown. To expreſs the general ſatisfaction and joy, with which his " majeſty's moſt gracious declaration, communicated by his excellency the " lord lieutenant to both houſes of parliament at the opening of the ſeſſion " was received, viz. "That by the concluſion of a general peace we were at " length relieved from thoſe burthens, which were unavoidable during a " war. That the ſituation of public affairs would permit a very conſiderable " diminution of public expence, that nothing was to be aſked, but the " continuance of ſupplies for the ſupport of the ordinary eſtabliſhments, " and that his majeſty thanked us for our paſt efforts, without again having " recourſe to the experienced liberality of parliament."—That from theſe " aſſurances, we drew the moſt flattering expectations of reducing the nati- " onal debt, and relieving the impoveriſhed people from the burthen of " thoſe taxes they were ſo little able to bear: but that theſe pleaſing hopes " were ſoon blaſted by the unexpected requiſition of ſupplies, to ſupport " a civil eſtabliſhment, loaded with a long train of penſions, the amount of

eſtabliſhments, however unſuitable to the circumſtances of the kingdom, however unſupportable to the people, however contrary to the declarations from the throne, however incompatible with an attention graciouſly recommended from it. Let our zeal and affection for his majeſty be our apology, and an unlimited confidence in his goodneſs be our praiſe; but let us at leaſt apprize him of the ſacrifice we have made; let us with all humility repreſent the danger we have incurred; let us ſolicit his protection, and though we have given up our all, and even more than our all, he will not keep it to our deſtruction. We have read of a prince, who, when he was fainting with thirſt and water was brought him at the riſk of life, refuſed to drink it, " God forbid (ſaid he) that I ſhould drink the blood of theſe men;" can we then imagine that our gracious ſovereign will drink the blood of this nation, that he will uſe his power, which he has derived from the ardour of our affection to our ruin? Our duty both to him, and ourſelves, requires that we ſhould at leaſt apprize him of what we have done, that we may not be left to periſh, merely becauſe our danger was not known, nor ſuffer by a ſacrifice, of which the value to us is infinite, but to him, who receives it nothing, for ultimately his glory and proſperity is ours.

* 7 Com. Journ. p. 255.

" which, excluſive of the French and military, exceeded the expence of all " the other branches of the civil eſtabliſhment, in the ſum of 42,627*l.* 19*s.* 2*d.* " many of which were publicly bought and ſold in the market. That the " number of officers upon the military eſtabliſhment is encreaſed, not only " far beyond what it ever was in time of peace, but even beyond what it " was in the time of the moſt dangerous war, and would, under any reign " but that of his majeſty, raiſe juſt apprehenſions for the conſtitution, not " only of this kingdom, but that of Great Britain. That inſtead of ſix " regiments of dragoons and twenty-ſix of foot, (the moſt ever before ſeen " in this kingdom) there are eight regiments of dragoons, and thirty of " foot, beſides the four old regiments of horſe. That the expence of gene- " ral officers is raiſed from 30,000*l.* in two years to 45,000*l.* though there " was not ſufficient number of them in the kingdom to attend the laſt reduc- " tion of the forces. That the expence of the ordnance is ſwelled from " 10,600*l.* in two years to 45,070*l.* independent of its extraordinary charges, " which are very conſiderable, though the whole artillery of this kingdom " is not equal to the ordnance of one of his majeſty's ſhips of thirty guns. " That every branch of the military and civil eſtabliſhment is advanced " nearly in the ſame proportion. That from principles of duty and affec- " tion to his majeſty, we granted the ſupplies which were demanded from us in " his majeſty's name, for the ſupport of theſe ſeveral eſtabliſhments, however " inſupportable to the people. But though the warmth of our zeal and affection " for his majeſty induced us thus liberally to grant thoſe ſupplies, our duty " to him and thoſe we repreſent will not permit us to conceal from his ma- " jeſty or the public the real ſtate and condition of this kingdom, which we " ſhall lay before his majeſty with all humility, and caſt ourſelves at his majeſ- " ty's feet, to implore his royal protection againſt his miniſters. That the ex- " pence of the preſent military eſtabliſhment amounts in two years to the " ſum of 980,955*l.* 19*s.* The civil eſtabliſhment to 242,956*l.* 10*s.* 9*d.*; to " which muſt be added at the moſt moderate computation 300,000*l.* for ex- " traordinary and contingent expences of government. That theſe ſums " added together amount to the ſum of 1,523,312*l.* 9*s.* 9*d.* That to anſwer " this expence, the whole revenue of this kingdom, the additional as well " as hereditary duties, excluſive of the loan duties, which are but barely ſuf- " ficient to pay the intereſt of 650,000*l.* the preſent national debt, amount " to the ſum of 1,209,864*l.* at a medium for fourteen years; ſo that the ex-

" pence

" pence of the nation for theſe two laſt years, muſt exceed its whole revenue " in a ſum of 314,248*l.* 9*s.* 9*d.* which deficiency being added to the national " debt, muſt leave this kingdom at the next meeting of parliament near " 1,000,000*l.* in debt. That the higheſt eſtabliſhment we ever had in time " of peace in this kingdom, were thoſe in the two years ending in March " 1755, and yet the preſent eſtabliſhment exceeds them in the ſum of " 283,028*l.* 9*s.* 9*d.* That during the late expenſive war, the eſtabliſhments " amounted at a medium, only to the ſum of 1,125,790*l.* for two years, ſo " that the preſent eſtabliſhments in a time of peace, exceed the eſtabliſh- " ments in the laſt war in the ſum of 97,522*l.* 9*s.* 9*d.* That we have already " contracted a new debt of 100,000*l.* though we expected to have diſcharged " part of the old. That the imports, exports, and home conſumption of " this kingdom are already taxed to the utmoſt they can bear. That any " addition to theſe taxes, inſtead of encreaſing, muſt leſſen the revenue. " That nothing now remains to be taxed but our lands, which are already " loaded with quit-rents, crown rents, compoſition rents, and hearth-money. " That if the preſent eſtabliſhments are to continue, the debt of the nation " muſt conſtantly increaſe, and in the end prove the utter ruin of the king- " dom. That ſuch is the true, but melancholy ſtate of this country, which " nothing but his majeſty's moſt gracious declarations, ſignified to us by his " excellency the lord lieutenant, could have given us confidence to have " laid before him, and which we do, that his majeſty may judge how far his " moſt benevolent intentions have been purſued. That we preſume not to " point out any particular method of redreſs, fully perſuaded as we are, that " when his majeſty ſhall have been thus fully informed of our real circum- " ſtances, his wiſdom, his juſtice, his humanity, will not permit the utter ruin " of a dutiful, a loyal, an affectionate people."

In tracing, combining, and reflecting upon the events, which fall to the lot of the hiſtorian to retail in their order and ſucceſſion, it is often impracticable to deduce particular effects from their real cauſes. The great maſs of the people in Ireland, the Roman Catholics, who by their exemplary forbearance and unſullied loyalty ſince the revolution, had not only borne up againſt the ſevereſt perſecution, but defeated the keeneſt provocation, were thereby ſecured in the affections and confidence of all impartial and unprejudiced Proteſtants: and the eminently paternal indulgencies of our gracious ſovereign to that body forbid us to harbour a doubt, whether his Iriſh

Catholic

Catholic ſubjects did not ever poſſeſs an extraordinary ſhare of his royal tenderneſs and affection. But there then was, and it is feared, ſtill is in Ireland, a certain deſcription of perſons, (it would be little flattering to the eſtabliſhed church to admit them in any manner into their Pale, by calling them *Proteſtants*) whoſe innate acrimony and vindictive cruelty, hold the place of humanity, ſympathy, and Chriſtian charity: who profeſſed themſelves at all times enemies by principle, and perſecutors by diſpoſition of their Catholic countrymen: theſe were ready inſtruments in the hands of the *ambitious prelate*, to whoſe intrigues Lord Clare attributed all the party heats and animoſities, that ſo long diſturbed and degraded their parliamentary proceedings. As long as Primate Stone lived,* he purſued the Machiavelian policy of keeping the Iriſh a divided people, and by that wicked ſyſtem of ſupporting the *Engliſh intereſt* by reducing each party beneath the court party; to encreaſe which he ſet œconomy, delicacy, and juſtice at defiance. To the prevalence therefore of his influence, is to be attributed the failure of the firſt modeſt effort in favor of the Catholics, during the preſent reign.

On the 25th of November, 1763, Mr. Maſon roſe in his place and reminded the houſe, that in the laſt ſeſſion of parliament,† a bill had paſſed without a diviſion

* He died the 19th of December, 1764.

† One laments that the journals of parliament are to be ſo little relied on, when matter relating to the Catholics is the ſubject of entry. My former remarks on that ſubject are confirmed, but not explained by this unaccountable omiſſion to notice the paſſing of that bill, upon a diviſion in the laſt ſeſſion, or of Mr. Maſon's notice to bring in ſimilar heads of a bill for the ſame purpoſe on a future day. In this particular, it is wholly improbable, that Sir James Caldwell ſhould not be accurate in his report of this matter (2 vol. p. 511) as he had entered ſo deeply into the queſtion, as to have publiſhed a pamphlet of great acrimony againſt it, entituled *A brief Examination of the Queſtion, whether it is expedient either in a Religious or Political View to paſs an Act to enable Papiſts to take real Security for Money which they may lend.* So anxious was this knight for the ſucceſs of his pamphlet in prejudicing the minds of the public againſt the heads of the bill, that he publiſhed it only at eight o'clock in the evening of the Saturday preceding the Monday, on which the heads of the bill were appointed to be taken into conſideration: too late certainly for a queſtion of that importance to the nation to be fairly replied to, had it been the wiſh of the author to have the queſtion impartially canvaſſed. The pamphlet was a haſty and virulent compilation of all the calumnies, that had been thrown upon the Catholics, ſince Proteſtants exiſted; with a moſt bare-faced invention of his own, that the pope's legate, who always reſides in Ireland, had interdicted ſeven Roman Catholic biſhops, for having, when the inſurrections of the *White Boys* were at the higheſt, ordered his majeſty to be prayed for in all the Roman Catholic chapels of their dioceſes, and

diviſion for empowering Papiſts to lend money on the mortgages of real eſtates, that it had been loſt in England, for what reaſon he knew not, as he thought the paſſing of it would have been of great advantage to that kingdom. He contended that at preſent, Papiſts could take only perſonal ſecurity for money they lend, which was certainly a great hardſhip upon them, and, he ſhould endeavour to ſhew that it was alſo a great diſadvantage to the public. As the public was nothing more than an aggregate of individuals, the ſuffering of an individual, is a diſadvantage to the public in the proportion, which that individual bears to the whole, ſuppoſing the ſuffering of the individual to terminate entirely in himſelf; now Papiſts making one part,

and that theſe ſeven biſhops had ſent in a paper to the lord lieutenant to complain of this legatine interdict, and that they afterwards entreated the lord lieutenant to return their paper, which his excellency refuſed. There had been no pope's legate or any perſon veſted with legatine authority in Ireland for above a century: and it is matter of notoriety, that the king was prayed for in every Roman Catholic chapel throughout Ireland: nor did one of the whole body of Catholic biſhops refuſe to concur with the reſt in enjoining this duty to their flocks: nor was any ſuch paper preſented to Lord Halifax, that could by the moſt artful malice be diſtorted into an inſtrument of the tendency, which that over zealous knight had imagined. Beſides this incredible fiction, he hazarded a moſt malicious aſſertion, which the experience of all times falſifies; viz. *that no Papiſt has ever as yet been known to take the oath of allegiance;* when it was notorious, that the Roman Catholic gentlemen of Ireland did take the oath of allegiance to King William and Queen Mary, which was all they required of them as a teſt of their fidelity: and which they moſt religiouſly obſerved, as has been ſeen. This active knight diſcovered the moſt dreadful conſequences, and predicted the infallible ruin to the conſtitution, if Papiſts were by law enabled to have real ſecurity for their money lent: not reflecting at the ſame time, that for the ſpace of fifty years, during which the Catholics had inveſted money on real ſecurities and ſued out *elegits*, it never had been doubted, till lately, that they had not a legal right ſo to do: and more eſpecially, as many of the legiſlators of the laws of Ann were then living, many of them gentlemen at the bar, and ſome of them, after the paſſing of thoſe laws, judges on the bench, who ſhould naturally be well able to interpret thoſe laws, and it is to be preſumed would not have permitted them to be ſo miſunderſtood and violated. This knight was one of the inſtruments privately uſed by Primate Stone to prevent any precedent being ſet of a relaxation in the Popery laws, his grace foreſeeing in that the probable coalition of Proteſtant and Catholic in the intereſts of Ireland, and conſequently the ſure and immediate overthrow of the *Engliſh Intereſt*, which he and his predeceſſor Boulter, had ſo effectually reared, cheriſhed, and ſupported, in direct oppoſition to the native or country intereſt. The liberality and paternal affections of our gracious ſovereign for his Iriſh ſubjects, threatened immediate demolition to that factitious and monſtrous fabric, which under that primate had been ſupported with the moſt corrupt buttreſſes; it is ſaid, that his deſpair of maintaining the ſyſtem he had ſo long and ſo arbitrarily controlled, contributed not a little to his diſſolution, which was premature, conſidering his age and extraordinary ſtrength of conſtitution.

and

and a very conſiderable part too, of that community, it was certain, that the community muſt ſuffer with them, ſuppoſing their peculiar diſadvantages to affect only themſelves; but, in this caſe, their diſadvantage affects other parts of the community; if the Papiſts be prohibited from lending upon ſuch ſecurity, as is thought a ſufficient indemnification, which, with reſpect to mere perſonal ſecurity, in ſuch a country as this, cannot be the caſe, it is certain, that the Proteſtant is continually reſtrained from borrowing, and yet borrowing and lending are mutual advantages. It might, perhaps, be replied, that though the diſadvantages, under which the Papiſts are laid, by what are called Popery laws, are, indeed, diſadvantages to the public, yet the diſadvantages to the public would be greater, if the Papiſts were admitted to all the privileges and immunities of Proteſtants; that they had in that caſe the power only of chuſing the leaſt of two evils, the different religious opinions of the inhabitants of that country making a certain degree of evil inevitable. But, in anſwer to this, he obſerved, that, with religious opinions, any farther than they include political principles, affecting civil government, they had nothing to do. The Proteſtant religion was founded upon the right of private judgment. They renounced the infallibility of the pope, and it would be abſurd, indeed to ſet up, inſtead of it, an infallibility of the ſtate; as Proteſtants they muſt therefore upon their own principles, admit that the opinions of thoſe, who differ from them may poſſibly be true; and opinions, that may poſſibly be true, they had certainly no right to puniſh. They might indeed, and they ought to keep the power of hurting out of the hands of thoſe whoſe principles would lead them to exert it; but he thought the Papiſts a much more formidable enemy, as an inmate, in the poſſeſſion of ready money, than in the poſſeſſion of a mortgage deed. Money was always power, and that money which is placed in Proteſtant hands, upon mortgage, is power in favour of the ſtate; the ſame money, in the hands of the Papiſts unlent, ſuppoſing the Papiſt to be an enemy to the ſtate, was power againſt it. Beſides money was not a local, but tranſitory property; a Papiſt, poſſeſſed only of money, has no local intereſt in the country, but a Papiſt mortgagee had; he would be engaged to ſupport the government in point of intereſt: his ſecurity for his money was good, while government ſubſiſted, and in the convulſion, that always attends the ſubverſion of government, it would at leaſt become doubtful; beſides, the greater the advantages, which the Papiſts receive under the preſent conſtitution, the more they muſt deſire its continuance,

continuance, and he would venture to ſay, that if the Papiſts were to be admitted to all the privileges of Proteſtant ſubjects, there would ſcarce be a practical Jacobite among them, whatever there might be in theory. I ſhould therefore be glad, that the bill ſhould have another trial, and ſhall therefore move for leave to bring in heads of a bill, to impower Papiſts to lend money on the mortgage of land, and to ſue for the ſame.

Mr. Le Hunte ſaid, that he thought the bill propoſed, would eventually make Papiſts proprietors of great part of the landed intereſt of the kingdom, which would certainly extend their influence, and that it was dangerous truſting to the uſe they would make of it, upon a ſuppoſition, that their intereſts would get the better of their principles. That the act mentioned to have paſſed the laſt ſeſſions, did not paſs without a diviſion, there being a majority of no more than twelve in its favor, and that it would not have paſſed at all, if it had not been for ſome artful management, it being brought in the very laſt day of ſeſſions, when no more than ſixty-two members were preſent. He therefore begged, that the honourable gentleman would poſtpone his motion till Monday, as the houſe was then thin, and gentlemen would thus have time to conſider the ſubject, which was of very great importance. He added, that as there was reaſon to ſuppoſe it to be the general ſenſe of the houſe, that ſuch a bill ſhould not paſs, he thought it would be better, that no heads of ſuch a bill ſhould be brought in, as it was cruel to raiſe expectations, which would probably be diſappointed.

Mr. Maſon conſented to poſtpone his motion. Accordingly on the 3d of February, 1764, Mr. Maſon preſented to the houſe, according to order, heads of a bill, to aſcertain what ſecurities may be taken by perſons profeſſing the Popiſh religion, for money lent or to be lent by them; and alſo what remedies they may have recourſe to, for recovery thereof; which were received and read. When a motion was made, and the queſtion being put, that the ſaid heads of a bill be rejected, the houſe divided 138 for the rejection, and 53 againſt it. Another motion was then made, and the queſtion being put, that leave be given to bring in heads of a bill to enable Papiſts to take ſecurities upon lands, but in ſuch manner, that they might not meddle with the poſſeſſion thereof, which was immediately negatived by a majority of 44. I have been the more particular in detailing the failure of this firſt effort to break in upon the penal ſyſtem, in order to draw the reader's attention the more cloſely hereafter to the rapid and wonderful pro-

greſs of the public mind, when once the denſe fogs of bigotry, prejudice, and fear had been cleared away.

We are now faſt approaching to that period in the Iriſh hiſtory, to which Lord Clare alluded in his memorable ſpeech for the Union, when he ſaid, that the ſyſtem built by the intrigues of that ambitious eccleſiaſtic would beat down the moſt powerful nation of the earth, when *the government of England at length opened their eyes to the defects and dangers of it; when they ſhook the power of the Ariſtocracy, but were unable to break it down.* Whilſt Primate Stone,* whoſe primary view was to realize his own ſyſtem of politics, lived, the party, which he commanded could enſure any queſtion whatever. Thus they often tantalized the public by conſenting to preliminary popular motions, which it was intended ultimately to reſiſt and reject: ſo upon the motion of Mr. Bagnall, leave was given to bring in heads of a bill for better ſecuring the liberties of the ſubject.† What thoſe heads were, no where appears:

* Of this prelate and of his political ſituation, power, and ſyſtem, the Rev. Dr. Campbell, an ingenious and enlightened author, thus ſpoke, in 1777 (*Survey of the South of Ireland, p. 55*): "Stone was a man of conſiderable abilities, but more of the politician, than the prelate; he devoted his life to the ſupporting a party in the Iriſh parliament. It is ſaid, that when he went over to London, to conſult the gentlemen of the faculty on his ſtate of health, he very candidly ſaid to them, 'Look not upon me as an ordinary churchman, or incident to their diſeaſes, but as a man, who has injured his conſtitution by ſitting up late, and riſing early, to do the buſineſs of government in Ireland.'

"They conſider his death an æra in the polity of this kingdom; for had he lived till now, he would have been always one of the lords juſtices, with the power of the whole; and of courſe buſineſs would have been conducted in the uſual way. Adminiſtration would have continued to throw all its power into his hands."

† Such rejections of the moſt conſtitutional and neceſſary propoſals for the civil liberty of the ſubject were no novelties to Ireland; for ſoon after the Bill of Rights had paſſed in England, the following heads of a ſimilar one for Ireland were preſented for tranſmiſſion by the Iriſh parliament to Lord Capel, then lord deputy of Ireland, on the 14th of October, 1659, of which no more was heard:

Heads of a Bill of Rights.

"1. That the pretended powers of ſuſpending of laws by regal authority, without conſent of parliament, is illegal.

"2. That the pretended power of diſpenſing with laws, or the execution of laws by regal authority, as hath been aſſumed or exerciſed, is illegal.

"3. That levying money for, or to the uſe of the crown, by pretence of prerogative, without grant

pears: nor do we find the patriotic ſentiment ever after followed up; although the non-reſiſtance of the motion in the firſt inſtance occaſioned an intemperate effuſion of public diſſatisfaction. Inexpreſſible, though ſilent, were the grief and diſappointment of the Catholics at the failure of this application to the favor of the legiſlature, not in fact for any new favor or indulgence, but for aſſuring to them a continuance of a capacity to take real ſecurity for their money, which the aſtute attempts of ſome of their enemies had only lately began to queſtion. Thus was the healing draught of leniency and mercy daſhed with relentleſs harſhneſs from their eager lips; and all their flattering proſpects of being received into the foſtering arms of their king and conſtitution at once defeated. Their deſpondency was not of long duration: their oppreſſion formed the baſe of the then Anglo-Hybernian ſyſtem of government: the deaths of Primate Stone and the Earl of Shannon, in December, 1764, put an end to that ſyſtem; and from thence a new ſcene opens itſelf to our view. To this moment of Iriſh hiſtory it is, that Lord Clare alluded, when he ſaid, "*the government of England at length opened their "eyes to the defects and dangers of it: they ſhook the power of the Ariſtocracy,** "*but were unable to break it down.*"

Although

"grant of parliament, for longer time, or in other manner than the ſame is, or ſhall be granted, "is illegal.

"4. That it is the right of the ſubject to petition the king, or the chief governor or governors of "the kingdom, for the time being, and all commitments or proſecutions, or threats for ſuch pe- "tition, are illegal.

"5. That the ſubjects which are Proteſtants may have arms for their defence, ſuitable to their "conditions, and as allowed by law.

"6. That the freedom of ſpeech, and debates on proceedings in parliament, ought not be im- "peached, or queſtioned, in any place out of parliament.

"8. That juries ought to be duly impannelled and returned, and juries which paſs upon men "in trials for high treaſon, ought to be freeholders.

"9. That all grants and promiſes, fines, forfeitures of particular perſons before conviction, are "illegal and void.

"10. That for redreſs of all grievances in this kingdom, and for amending, ſtrengthening, and "preſerving the laws, parliaments ought not to be diſſolved, as they have been in the late reigns.

"11. That the free quartering of ſoldiers on any of this kingdom, in time of peace, is arbi- "trary and illegal."

* This Ariſtocracy is thus deſcribed by Dr. Campbell (*Phil. Surv. p.* 56): "In this nation "are three or four grandees, who have ſuch an influence in the Houſe of Commons, that their "coalition would, at any time, give them a clear majority upon any queſtion. It has, therefore,

Although the deaths of two of the lords juſtices made an opening to many great events, no immediate effects enſued of ſufficient importance to arreſt the reader's attention. The Lord Chancellor Bowes, and Mr. Ponſonby, the ſpeaker of the Houſe of Commons, were created lords juſtices, to whom afterwards the Earl of Drogheda was joined; and from the change of ſyſtem they were the laſt lords juſtices ever appointed. Lord Viſcount Weymouth was appointed lord lieutenant, but he never went over. The Earl of Hertford met the parliament in 1765.

In December, 1765, died, at Rome, the famous Chevalier de St. George, only ſon of James II. he was the ſubject of the political fable of the Warming Pan: he ſupported a long life of misfortunes, ſufferings, and retirement with great Chriſtian forbearance and equanimity. As his attempt to recover the Britiſh throne, in 1715, and his ſon's effort to the ſame end, in 1745, had made no ſenſation in Ireland, little is it to be wondered, that his death was ſcarcely known or thought of in that country; although many of the then exiſting generation, through every part of the Britiſh empire, had taken an active ſhare in the attempts to replace him on the throne of his anceſtors.

Although by the management and power of the Britiſh cabinet the number of the patriots in the Iriſh parliament had been greatly reduced, their ſpirit was not ſubdued: they again returned to the charge of the penſions; *and on the 6th of December, 1765, a motion was made, and the queſtion being put, "That an humble addreſs be preſented to his majeſty, to aſſure

"always been a maxim of government to diſunite theſe factious chiefs. And, ſtill further to diſ-
"able oppoſition, it has been thought expedient to diſengage, as much as poſſible, the followers
"from their leaders. This was attempted by Lord Cheſterfield, ſo early as the year 1745, but his
"ſtay was too ſhort to effect it.

"Formerly, theſe principals uſed to ſtipulate with each new lord lieutenant, whoſe office was
"*bien mal*, and reſidence but for ſix months, upon what terms they would carry the king's buſineſs
"through the houſes; ſo that they might, not improperly, be called undertakers. They provided,
"that the diſpoſal of all court favours, whether places, penſions, or preferments, ſhould paſs
"through their hands, in order to keep their ſuite in an abſolute ſtate of dependence upon them-
"ſelves. All applications were made by the leader, who claimed, as a right, the privilege of gra-
"tifying his friends in proportion to their numbers.

"Whenever ſuch demands were not complied with, then the meaſures of government were ſure
"to be croſſed and obſtructed; and the ſeſſion of parliament became a conſtant ſtruggle for power,
"between the heads of parties, who uſed to force themſelves into the office of lord juſtice, accord-
"ing to the prevalence of their intereſt."

* 8 Journ. Com. p. 64.

"him

" him of their inviolable duty and zealous attachment to his perſon and go-
" vernment. That it affected them with the deepeſt ſorrow to find, that the
" penſions in general on the eſtabliſhment of that kingdom had greatly in-
" creaſed of late years, inſomuch as to have amounted to the ſum of 158,685*l.*
" 4*s.* 8½*d.* in the two years ending at Lady-Day, 1765. That many of thoſe
" penſions had been granted for long terms of years, and for lives, and had
" been made payable out of the revenue at large. That they had long been
" the cauſes of ſilent diſquietude; and were of late become the ſubjects of
" univerſal murmur and complaint. That they ſhould think it a breach of
" the truſt repoſed in them, longer to conceal from his majeſty the griev-
" ances of his faithful ſubjects, and by ſuch omiſſion to poſtpone for a day
" that redreſs, which with the utmoſt confidence they expected from the
" dictates of paternal affection, and the ſuggeſtions of royal juſtice." This
motion was negatived by a majority of 119 againſt 41.

It is, even at this diſtance of time, lamentable to behold the vigorous exer-
tions of the Britiſh cabinet to ſecure an *Engliſh aſcendancy* in the Iriſh par-
liament, and at the ſame time an imperious reluctance to uſe that very aſcen-
dancy for the welfare of the Iriſh nation. Indigence and diſtreſs pervaded
the whole kingdom: the encreaſing tumults, inſurrections, and outrages of
the *Steel Boys* and other inſurgents in the North, created ſerious alarm in
the minds of all thoſe, who really looked to and felt for the well-being of
their country. Accordingly on the 23d of May a motion was made, and the
queſtion was put, *" That an humble addreſs be preſented to his majeſty,
" expreſſing, in the ſtrongeſt terms, the full confidence of his ever loyal ſub-
" jects of Ireland, in his majeſty's juſtice and parental affection for that king-
" dom. And repreſenting to his majeſty, that his faithful commons of
" Ireland apprehending that it was a part of their bounden duty to lay before
" his majeſty, for his conſideration, ſuch grievances of his people, as they
" judged might be moſt deſerving of his notice, and as they feared he might
" not otherwiſe be fully informed of, from a ſenſe of their duty, preſumed to
" acquaint his majeſty, that in many inſtances the laws of their land were
" leſs reſorted to, revered, and obſerved by the lower claſs of people, at that
" time, than had been uſual theretofore in that kingdom, or than was be-
" coming a people, who injoyed the bleſſing of a free government, of which

* 8 Journ. Com. p. 141.

" the

" the commotions in ſeveral parts of that kingdom, were but too plain and " ſtriking examples. That one principal ſource of theſe evils conſiſted in the " appointing perſons of mean abilities, and totally unacquainted with the " ſtate and municipal conſtitution of Ireland, to the miniſtration of juſtice in " the ſupreme courts of law in that kingdom; by the means of which, all " law ſuits were protracted to an exceſſive length, and the expences of them " were rendered intolerable, the ſecurity of perſons, of life, and of property, " were daily diminiſhed and made more precarious; the laws, inſtead of be- " ing conſidered as the protection, were become the oppreſſion of the people, " and in the place of being obeyed and loved, appeared too often con- " temptible or diſguſting from the incapacity, which ſometimes was found in " thoſe, who were entruſted with the execution of them. That his majeſty's " faithful commons, in that humble repreſentation, were by no means de- " ſirous of making any diſtinction between the ſubjects of different parts of " his dominions; with gratitude they acknowledged, that in former times " judges of the moſt illuſtrious abilities had been ſent from Great Britain " into that kingdom, to the furtherance of juſtice, and the manifeſt advan- " tage of Ireland; particularly in the inſtance of that great man, who had ſo " long and ably preſided in his majeſty's High Court of Chancery, to the " univerſal ſatisfaction of all ranks of people; neither could they, with juſ- " tice, omit expreſſing their approbation of ſuch of their preſent judges as " were natives of that kingdom, whoſe conduct and abilities were, in their " opinion, irreproachable. That his majeſty's faithful commons did not " preſume to point out to his majeſty any remedy for thoſe evils, relying, with " the firmeſt confidence, on his majeſty's wiſdom, and experienced affection " for his whole people."

This addreſs ſpoke too much truth, not to be oppoſed: on a diviſion it was negatived by a majority of 71 againſt 35. The decreaſe of the numbers of the patriots on this diviſion rouſed thoſe, who had not yet been bought off, to bring forward inſtantly ſome motion, which ſhould at leaſt convince the nation of the corrupt means, by which their rights and intereſts were ſacrificed by a venal majority to the *Engliſh intereſt*.

On the very next day* a motion was made, that an humble addreſs be preſented to his excellency the lord lieutenant, repreſenting to his excellency,

* 24 May, 1767. 3 Journ. Com. p. 143.

that

that the Commons of Ireland, with hearts full of the ſenſe of their miſerable condition, yet ſupported with the hopes they had of his adminiſtration, had cheerfully contributed to all ſuch ſupplies as had been demanded from them, and that they did not deſpair of his goodneſs being extended towards them in ſuch a prudent and gracious manner, as might afford them relief, according to their preſent exigencies of their condition; and therefore humbly requeſted his excellency would be graciouſly pleaſed to lay, or order to be laid, before that Houſe all the proceedings of the privy council in March laſt, relative to the ſuppreſſion of heads of a bill, intitled, *A Bill for the better ſecuring the Freedom of Parliament, by aſcertaining the Qualification of Knights, Citizens, and Burgeſſes in Parliament*; and humbly requeſted, that his excellency would order all the patents granted in reverſion or in poſſeſſion during that adminiſtration to be laid before the Houſe; and that his excellency would uſe his influence, that no more reverſionary grants ſhould be diſpoſed of in that kingdom, inaſmuch, as they debilitated the crown in preſent, and might be attended by the impoſition of new burdens upon the public. On which the court party moved, and of courſe carried their motion, that in lieu of the words, *the ſenſe of their miſerable condition*, they ſhould inſert the words, *their happy condition under his majeſty's auſpicious government*. The heads of the bill alluded to in this motion were for ſeptennial parliaments, an object, to which the whole Iriſh people then moſt earneſtly bent their thoughts. In a limitation of parliaments, they ſaw the only remaining check againſt the open and gigantic ſyſtem of venality, under which all parliamentary proceſs was then carried on. Throughout every part of the kingdom reſolutions and addreſſes were carried in their county meetings in favour of that meaſure. The citizens of Dublin publicly and pointedly declared their ſentiments in their ſpirited inſtructions to their repreſentatives to ſupport the meaſure.*

All

* The Merchants, Traders, Freeholders, and Citizens of Dublin, preſented the following Addreſs to their Repreſentatives.

" GENTLEMEN,

" HAVING authentic intelligence, that the bill, upon which the Proteſtant intereſt and freedom of this kingdom depend, is dropped in Great Britain: and finding, that every attempt made by the Commons of Ireland, ſtrengthened by the united and general voice of all ranks and denominations of Proteſtants, to obtain a law for limiting the duration of parliaments, has hitherto proved ineffectual, we cannot but think, the Commons of this kingdom will ſtand juſtified in following the example given by the Commons of England on a ſimilar occaſion, at the late

All theſe efforts of the patriots in parliament, and of the people without, were ineffectual. The heads of the bill were introduced, agreed to, and tranſmitted, but arreſted in their progreſs by the Engliſh privy council. Here again the vice of the old ſyſtem of governing Ireland was manifeſted in the anſwer given by the lord lieutenant to the addreſs of the Commons.* "I have," ſaid his excellency, "received information of the moſt authentic "nature, that the bill for limiting the duration of parliaments will not be "returned during this ſeſſion. I ſhall however fully lay before his majeſty "the ſentiments of the Houſe of Commons, contained in this addreſs, and "ſhall renew the repreſentations, which I have already made in the ſtrongeſt "and warmeſt manner, in favour of ſuch a law." It was an inſult to the underſtanding and reſpectability of the people of Ireland, that the lord lieutenant ſhould pretend to act in oppoſition to the Britiſh cabinet, and recommend a meaſure, which they avowedly oppoſed.† The patriots moved for a very ſtrong and pointed addreſs to be preſented to his majeſty, which ſpoke a language of too much firmneſs and independence to be reliſhed by the court party, and it was negatived upon a diviſion of 117 againſt 29.‡ A more moderate

late glorious Revolution, that grand æra of Britiſh liberty. We, therefore, as citizens and freeholders of this metropolis, thinking ourſelves bound to ſtand foremoſt in all national meaſures, have taken the earlieſt opportunity to declare our ſentiments upon this moſt intereſting event, and to intreat, that you will never give your aſſent to any money bill of longer duration than three months till a law paſſes in this kingdom for a ſeptennial limitation of parliament."

(Signed by William Rutledge, Richard French, Eſqrs. High Sheriffs, and upwards of 800 merchants and traders.)

* 8 Journ. Com. p. 132.

† By natural effect, the Union muſt put an end to the unwarrantable, but too frequent and ſucceſsful practices of ſhifting reſponſibility and playing off the different wills, powers, and commands of the ſovereign and his vicegerent, the Britiſh cabinet and the Iriſh adminiſtration, the Iriſh legiſlature and the Iriſh people, againſt each other, as the political juggle of the moment required. The principles of union muſt now direct the powers of government to a common focus.

‡ 8 Journ. Com. p. 132. A motion was made, and the queſtion being put, that an humble addreſs be preſented to his majeſty, teſtifying, in the ſtrongeſt terms, our inviolable attachment to his perſon, family and government, and lamenting, that we are obliged to mingle with the effuſions of our zeal and loyalty our ſolicitude for the return and our concern at the delay of the bill for limiting the duration of parliaments in this kingdom; a delay which we conceive to ariſe from ſome miſrepreſentation, inaſmuch as we have the firmeſt reliance and the fulleſt confidence in his majeſty's royal beneficence and juſtice; virtues which in their own operation muſt incline his majeſty to

moderate addreſs was however moved for by the patriots on the next day, teſtifying their ardent and inviolable attachment to his ſacred perſon and government, and imploring his majeſty, that he would ſuffer the univerſal prayers of his loyal people of Ireland to aſſiſt the repreſentations and endeavours of his chief governor of that kingdom towards inducing the beſt of princes to return his moſt faithful ſubjects the bill tranſmitted to Great Britain for limiting the duration of parliaments; which the patriots carried by a majority of two voices, there being 90 for and 88 againſt the addreſs. His majeſty's anſwer to the addreſs did not appear very gracious to the addreſſers. "His majeſty has received the addreſs of the Houſe of Commons on "the ſubject of a bill ſome time tranſmitted for limiting the duration of par- "liaments. The ſentiments of his faithful commons were already known to "his majeſty by their paſſing the heads of that bill: nor can any ſolicitation "add weight to that antient and conſtitutional way of ſignifying their de- "ſires on the like occaſions. His majeſty will always have the higheſt ſa- "tisfaction in complying with the wiſhes of his faithful commons: but no

to liſten graciouſly to the univerſal voice; and to the moſt fervent prayers of his loyal people; more eſpecially, when they deſire nothing new or doubtful; when they deſire only that they may not be deprived of a reaſonable frequency of election with reſpect to their own repreſentation, of which no other part of his majeſty's ſubjects, not in the meaneſt of his colonies, is deprived, when they deſire not a parliament once every year or oftener, to which they are entitled by a conſtitution of ſix hundred years eſtabliſhment, and by the expreſs ſtatute of Edward the Third never repealed, and of above four hundred years antiquity; but that no one parliament ſhould continue above ſeven years, which is the longeſt period, to which it was found poſſible to extend the duration of parliament in a neighbouring kingdom; an extenſion grounded upon circumſtances there, which never exiſted in this country; when therefore their application in this particular is, ſtrictly ſpeaking, not to limit but prolong parliaments; not to abridge but to increaſe prerogative, by giving the crown a power to continue the ſame parliament ſeven years, which it has not now by the laws and conſtitution; when they deſire only, that an unconſtitutional and illegal cuſtom may not be perpetuated upon them, or continuing the ſame parliament for the life of the reigning king, which there have been but two inſtances of from the beginning of time in this kingdom, and which was tolerated in theſe two inſtances only from the moſt unlimited and overflowing loyalty and attachment to his majeſty's royal houſe, which induced our anceſtors to ſuffer their moſt ſacred rights to be in this particular ſuſpended, rather than expoſe the recent eſtabliſhment of his majeſty's auſpicious family to the moſt imaginary hazard; when they hope, that this their conduct, which might well be rewarded with an increaſe, will not be puniſhed by a deprivation of privileges; and that their juſt, humble, temperate, and legiſlative deſires, their moſt reiterated and ardent ſupplications will not be neglected, whilſt the leſs regular applications and even reſiſtance of ſome of their fellow ſubjects in a caſe far different have been attended with ſatisfaction and redreſs.

" conſideration can prevail with his majeſty to ſwerve from that indiſpen-
" ſable duty, which the conſtitution preſcribes to him of concurring in ſuch
" proviſions only, as on mature deliberation and advice of his council ap-
" pear to him at the time calculated to promote the true intereſt and hap-
" pineſs of his people." From the ſpirit, which dictated this anſwer, and the further conduct of the Britiſh cabinet at this time, it appears, as if they had ſelected this particular juncture for a trial of ſtrength between the *Engliſh* and the *Iriſh* intereſt. A bill *for better ſecuring the liberties of the ſubject* was this ſeſſion paſſed in the commons, and tranſmitted, but was not reurned. Another bill of a patriotic tendency was introduced this ſeſſion, *to prevent the buying and ſelling of offices, which concern the adminiſtration of juſtice, or the collection of his majeſty's revenue:* but it miſcarried in the commons. Thus failed every effort of the patriots to remedy the ſyſtem of venality, which now openly prevailed, and to bring back the conſtitution to its primitive principles of freedom and independence.*

In

* As this was the time and this the ſyſtem, to which Mr. Burke alluded in his incomparable political chef d'œuvre, on the *Cauſe of the preſent Diſcontents*, I will favour the reader with ſome of his thoughts peculiarly applicable to this juncture. P. 56. "The court party reſolve the whole into faction. Having ſaid ſomething before upon this ſubject, I ſhall only obſerve here, that when they give this account of the prevalence of faction, they preſent no very favourable aſpect of the conſidence of the people in their own government. They may be aſſured, that however they amuſe themſelves with a variety of proſpects for ſubſtituting ſomething elſe in the place of that great and only foundation of government, the confidence of the people, every attempt will but make their condition worſe. When men imagine, that their food is only a cover for poiſon, and when they neither love nor truſt the hand that ſerves it, it is not the name of the roaſt beef of Old England, that will perſuade them to ſit down to the table, that is ſpread for them. When the people conceive, that laws, and tribunals, and even popular aſſemblies, are perverted from the ends of their inſtitution, they find in thoſe names of degenerated eſtabliſhments only new motives to diſcontent. Thoſe bodies, which when full of life and beauty, lay in their arms, and were their joy and comfort, when dead and putrid, become but the more loathſome from remembrance of former endearments. A ſullen gloom, and furious diſorder, prevail by fits; the nation loſes its reliſh for peace and proſperity, as it did in that ſeaſon of fullneſs, which opened our troubles in the time of Charles the Firſt. A ſpecies of men, to whom a ſtate of order would become a ſentence of obſcurity, are nouriſhed into a dangerous magnitude by the heat of inteſtine diſturbances; and it is no wonder that, by a ſort of ſiniſter piety, they cheriſh, in their turn, the diſorders, which are the parents of all their conſequence. Superficial obſervers conſider ſuch perſons as the cauſe of the public uneaſineſs, when, in truth, they are nothing more than the effect of it. Good men look upon this diſtracted ſcene with ſorrow and indignation. Their hands are tied behind them. They are deſpoiled of all the power, which might enable them to reconcile the ſtrength of government with the rights

of

In the year 1765 the revenue of Ireland, although conſiderably increaſed upon the whole receipt, ſtill fell ſo far ſhort of the expences of government, that 100,000*l.* were directed to be raiſed at 4 per cent. and the principal due upon the different loans was ordered to be conſolidated into one ſum, making in the whole 595,000*l.* at 5 per cent. which remained due at Lady Day. The debt of the nation then amounted to 508,874*l.* 5*s.* 9½*d.* There was this year a great ſcarcity of grain, as likewiſe a general failure of potatoes, which was ſtill more ſeverely felt by the lower ranks. The legiſlature found it neceſſary to interpoſe: they paſſed an act to ſtop the diſtilleries for a certain time, which conſequently produced a decreaſe in the Exciſe, and alſo an act to prevent the exportation of corn; in both of which acts it is recited, that it was apprehended, there was not ſufficient corn in the kingdom for the food of the inhabitants until the harveſt. In the latter of theſe acts is contained a proviſo, that it ſhould be lawful *for his majeſty, his heirs, and ſucceſſors, by his or their order in the privy council of Great Britain*, or for the chief governor or governors and privy council of Ireland for the time being, by their proclamation, to permit the exportation of any of the kinds of corn, grain, meal, or flour therein mentioned, any thing therein contained to the contrary notwithſtanding. The heads of the bill had been tranſmitted over without

of the people. They ſtand in a moſt diſtreſſing alternative. But in the election among evils they hope better things from temporary confuſion, than from eſtabliſhed ſervitude. In the mean time, the voice of law is not to be heard. Fierce licentiouſneſs begets violent reſtraints. The military arm is the ſole reliance; and then call your conſtitution what you pleaſe, it is the ſword, that governs. The civil power, like every other, that calls in the aid of an ally ſtronger than itſelf, periſhes by the aſſiſtance it receives. But the contrivers of this ſcheme of government will not truſt ſolely to the military power, becauſe they are cunning men. Their reſtleſs and crooked ſpirit drives them to rake in the dirt of every kind of expedient. Unable to rule the multitude, they endeavour to raiſe diviſions amongſt them. One mob is hired to deſtroy another; a procedure which at once encourages the boldneſs of the populace, and juſtly increaſes their diſcontent. Men become penſioners of ſtate on account of their abilities in the array of riot, and the diſcipline of confuſion. Government is put under the diſgraceful neceſſity of protecting from the ſeverity of the laws that very licentiouſneſs, which the laws had been before violated to repreſs. Every thing partakes of the original diſorder. Anarchy predominates without freedom, and ſervitude without ſubmiſſion or ſubordination. Theſe are the conſequences inevitable to our public peace, from the ſcheme of rendering the executory government at once odious and feeble; of freeing adminiſtration from the conſtitutional and ſalutary controul of parliament, and inventing for it a new controul, unknown to the conſtitution, an interior cabinet; which brings the whole body of government into confuſion and contempt."

any diſpenſing power to the king in the Britiſh council: this was an alteration introduced by the Britiſh cabinet, and was violently, though ineffectually oppoſed by the few remaining patriots in the Iriſh Houſe of Commons. The two grounds, upon which the now dwindled patriotic party in the Iriſh Houſe of Commons reſiſted theſe alterations were undoubtedly conſtitutional: 1°. that even under the reſtrictions of Poyning's Law (which though perhaps prudent when paſſed, conſidering the then preponderancy of the Iriſh oligarchy had been latterly execrated by all Iriſh patriots), the king only had a power of aſſent or diſſent: not a power of alteration, which from its nature muſt import a deliberative power, which could exiſt no where, but in the Lords and Commons of Ireland. 2°. That if it be expedient or neceſſary to lodge a diſpenſing power in the executive for the occaſional benefit of the kingdom, ſuch power to be executed by proclamation with the advice of the privy council in Great Britain, where the king perſonally reſides, the proclamation iſſues directly from the king, with the advice of his privy council of Great Britain: but in Ireland, where the executive power is veſted in ſuch ſubſtitute or deputy as the king appoints, it iſſues in the name of ſuch appointee, with the advice of the privy council of Ireland. The practice is evidently bottomed in reaſon: otherwiſe the council of Great Britain would have a controul over the legiſlative acts of the independent kingdom of Ireland. The patriots attributed the precipitancy,* with which the court party preſſed this bill through the Houſes, to the moſt unworthy motives of driving the people to the deſperate alternative of famine, or the ſubverſion of their conſtitution.

On the 22d day of December, 1765, Dr. Lucas, as one of the repreſentatives of the city of Dublin, publiſhed an addreſs to the lord mayor and aldermen, ſheriffs, commons, citizens and freeholders of Dublin, on the paſſing of this bill, in which he gave the following ſuccinct hiſtory of its progreſs. "On Thurſday (viz. 19) this bill was firſt preſented to the Houſe and read. As ſoon as the fatal alteration was diſcovered, it filled one part of the Houſe with horror and deteſtation of the meaſure, and a motion was made to reject it. But, it paſſed in the negative; and it was ordered, and accordingly, did

* Vid. 8 Com. Journ. p. 70. The Journals very unfairly have ſuppreſſed the nature of the alteration made in England. They merely ſtate that a committee was appointed to examine the tranſmiſs with the heads of the bill ſent from that Houſe, and that it afterwards paſſed without amendment.

receive

receive a ſecond reading on Friday laſt. It was then ordered to be committed on Saturday, paſſed the committee, was reported the ſame day, and ordered to be ingroſſed, though in every ſtep of its progreſs, in which there were not one third of the members in the Houſe, it met with conſtant, uniform, though fruitleſs oppoſition, with many diviſions of the Houſe and the committee, in all which, I gave my utmoſt oppoſition to the meaſure, but had the misfortune to be always of the minority. I could not ſuſpect, a bill with any, ſpecially with ſuch an alteration, could be permitted to make ſo rapid progreſs, through any part of the legiſlature. Its fate now depends upon a ſingle queſtion in the Houſe of Commons: when it will be put, or how determined, I cannot inform you; but the preſumption is, it will be to-morrow."

In fact the queſtion for the bill's paſſing with the inſerted alteration was put on the next day, viz. Monday the 23d of December, 1765, and was carried by a majority of twenty-nine againſt fifteen.*

From

* 8 Com. Journ. p. 71. One of the moſt ſtrenuous ſupporters of this bill with the alterations, was the late Lord Clare, then Mr. J. Fitzgibbon, member for Newcaſtle; to whom the following paſſage in Mr. Lucas's addreſs referred. "Since I have mentioned precedents, you may ſee by "the votes, that lawyers have not let a worm-eaten parliament roll, nor an obſolete muſty ſtatute, "eſcape the moſt diligent reſearch. If one happier than the reſt ſhould think he found a caſe in "point, in times, indeed, the moſt fit for the black purpoſe, under the auſpices of the direſt foe to "the liberties of Europe and of Britain, the Spaniſh tyrant Philip, the worthy conſort of bloody "Queen Mary, that horrid firebrand to the religion and the laws of her country; for it is in ſuch a "tyrannic reign alone, that any one could hope a precedent for the purpoſe of this innovation "might be found; what uſe could be made of ſuch a precedent in our happy days? It is indeed "true, that an act paſſed in this kingdom, in the third and fourth years of that abominable reign, "for reducing certain waſte lands to ſhire grounds; giving however, a power to the crown, for "ſeven years, to ſuſpend or repeal the whole act or any part thereof. Thus far the act proves a "caſe in point: but upon reading the whole ſection through, it appears that the ends, for which "alone it could be cited and read, were utterly fruſtrated: becauſe, however evil and unjuſt the "power granted in that ſtatute may appear, it was not, as ſome favorers of this innovation may "contend, to make it ſerve as a precedent; it was not left to a private order, conceived in the "council of Great Britain, but it was expreſsly provided, "that every ſuſpenſion, repeal or revo-"cation of the ſtatute ſhould be made in writing under the great ſeal of Ireland, and public pro-"clamation thereof made." If thoſe who raked through much obſcurity, and rubbiſh, and filth, "thus ſerve their country, had found a better precedent, no doubt their commendable zeal would "have produced it. But you ſee how little this queſtion can anſwer the purpoſes of ſuch favorers "of innovation as may produce it. In the innovation in theſe heads of a bill, an order conceived

"in

From the frequent defections of the patriots and the conſequent reduction of their numbers, it became the policy of the caſtle, at this time, to throw all poſſible diſrepute upon the few, who ſtill earneſtly eſpouſed that cauſe. Upon this ſubject Dr. Lucas explained himſelf very pointedly in another addreſs to his conſtituents:* but it would be uncandid to leave the reader in the vulgar prepoſſeſſion, that becauſe this eminent and true patriot ſtood firm to the laſt hour of his life in the honourable cauſe of his ſuffering country, therefore he was unacceptable either to his ſovereign or his vice-gerents. The Earl of Hertford had particularly noticed Dr. Lucas when he was in England, and was eſteemed by him in return: he boaſted alſo of his kind treatment from the Lords Cheſterfield and Harrington, Halifax and Northumberland. He bore affection as well as loyalty to his majeſty.† The unremitted

" in the council in England, which from its known appellation muſt be ſecret, is to repeal a ſtatute " paſſed in the parliament of Ireland, without any proclamation or publication in Ireland, or per- " haps without its being at all known in the kingdom, till it comes to be executed in the ports. " Yet this is attempted to be introduced, after the enlivening ſpirit of the revolution, and the con- " ſequent Hanover ſucceſſion, broke the illicit bonds of the never-enough-to-be-deteſted race of " Stuarts, and bad us live and be free."

* Patriot and patriotiſm, are now no longer conſidered as real, but ideal characters. That they were once otherwiſe, our author thus confeſſes. I hope, he is taught by his own heart to believe, that there are yet ſome men in the world, who are ready and willing to ſacrifice, upon a proper occaſion, their time, their fortunes, their healths, their lives, to the ſervice of their country.

That deſigning men have often layed hold of trifling, as well as weighty occaſions, to ſet forth their own importance, to gain their private ends; and that great and important ſubjects taken up apparently, with juſt and public-ſpirited views, have been given up and forſaken, when the miniſtry have thrown out the proper lure, are notorious, as they are hateful.

That the royal conſent was once anticonſtitutionally, yet without oppoſition, inſerted in an act of parliament, and that at another time, the propoſition was conſtitutionally ſpurned at, and rejected in the ſame parliament, is certainly true. That many patriots aroſe upon this great occaſion, while the funds were redundant in the treaſury, is true. But that theſe were ſhort lived pageants is true. That ſome loſt their places, ſome their penſions, for a while is certain; but that the chapping and changing, placing and penſioning, and replacing and repenſioning theſe patriots, coſt the nation about half a million, is certain: As it is, that while they juſtly contended for the right of parliament to the diſpoſal of the redundance of the funds in the treaſury, they afterwards peaceably ſuffered it to be drawn out of the treaſury by the ſole mandate of the crown. And thus, it muſt be confeſſed, that ours, like other patriots, have been the pageants of a day, each acting their parts like the poor player, who frets and ſtruts his hour upon the ſtage, and then is heard no more.

† You know I am no flatterer: you know how often and in what terms I have teſtified my diſintereſted love and loyalty to his majeſty, and my zealous and inviolable attachment to his royal houſe.

That

unremitted and faithful attention to his parliamentary duties, with the diſcouraging proſpect of failing in every exertion, forced from him a confeſſion, that

That I have always looked upon him, as not only politically, but actually free from blemiſh or imperfection; that I know his heart overflows with pure love and benevolence to all his ſubjects, and that I have myſelf ſenſibly ſhared of his royal clemency, in reſcuing me from the oppreſſive hands of that deteſtable hoary tyrant, a long parliament, with a wicked miniſtry, and certain iniquitous rulers of this city. His royal touch healed the wounds and bruiſes given my country, through my ſides. You know my words, my writings, the tenor of my whole life and conduct, proclaim my invariable gratitude, affection, and duty. And when I forget the deliverer of my country, let my right hand forget its function, and my tongue cleave to the roof of my mouth. In his royal goodneſs, I repoſe the moſt boundleſs confidence.

But why is his ſacred name and character to be hauled into this controverſy? Is it to be imagined, that he can look into matters of this nature; Are they not all left to his council? Does not the council refer them to one or two ſervants of the crown, who after, report or reject them at pleaſure? I honeſtly and openly confeſs, I have not the fulleſt confidence in all thoſe, that are put in authority under him, in either kingdom.

My lord, my character is known to all, and thank God! approved by all that dare be honeſt and free. I challenge my direſt foe to charge a ſingle inſtance of flattery upon me, to kings, or even to more mighty miniſters. You know my invaried love and loyalty to my king, and you know my declared motives. Had I not had theſe, I ſhould have ſcorned to proſtitute the offered incenſe.

A juſt proportion of the regard due to the ſovereign, I have ever been ready to pay to his repreſentative; unleſs the conduct of the ſubſtitute provoked me to ſay, with the inſulted free apoſtle, God ſhall ſmite thee, thou whited wall; for I ſhould not be provoked more than the holy man, had I not the ſame apology, might I not ſay, as he did, when rebuked, brethren, I wiſt not that he was God's high prieſt; becauſe he ſtripped and degraded himſelf of the power and dignity of his office, by commanding a free citizen to be ſmitten, in open court, contrary to law, juſtice, and decency. What good and worthy vicegerent of the crown, wanted my poor applauſe? What bad and unworthy lieutenant eſcaped my poor cenſure? You ſee then, I have ever loved, reſpected, and revered thoſe great officers of the crown, or hated, deſpiſed, and condemned them, according to their well proved merit or demerit. My conduct in private and public life, always did, and always ſhall, prove theſe truths. Witneſs the different treatments, by me given to the Lords Cheſterfield and Harrington, Halifax and Northumberland. In all which, you know, I acted upon invariable principles. My conduct in theſe inſtances will convince you, that I always ſhall act as a perſon, who for himſelf has nothing to aſk, and nothing to fear, which muſt always keep me a free agent. To ſtand quite clear of all ſuſpicion of adulation, I ſhould have declined expreſſing my ſentiments of the preſent lord lieutenant, till the expiration of his office. But, as I am called upon, I muſt explain myſelf, in mine own juſtification. I could not have lived as long as I did in London, without being well acquainted with the character of our preſent viceroy. I confeſs, I honored and admired it, before I had the honor of being known to him, and when I petitioned his preſent majeſty, againſt his wicked miniſters and judges in Ireland, I had the good fortune to find myſelf, from the juſtice

of

that he was weary of his taſk, becauſe he laboured inceſſantly in vain.* Lord Hertford not having ſupported as zealouſly as the Britiſh cabinet expected, their alterations in the corn bill, was recalled. The old lords juſtices filled their ſtations for the laſt time until the appointment of Lord Townſend to be lord lieutenant on the 14th of October, 1767.

of my cauſe, patroniſed by this great good man, who then knew no more of me, than my character, and who did me the honor to preſent me, and ſaw me make my complaint to the royal ear. To him, I confeſs myſelf indebted for that ſhare of the royal clemency, with which I now ſtand diſtinguiſhed. If my return to my native country, be grateful to my countrymen and fellow citizens, the obligation is due to the Lord Hertford, who, in ſpight of great and mighty powers, made my caſe known to our patriot king, who embraces every opportunity of teſtifying his parental love for his faithful ſubjects. His excellency has ſince deigned to confer marks of his favor on ſome of my family. So that your lordſhip and honours ſee, that I ſtand under ſingular obligations for my country, my family, and myſelf, to the lord lieutenant. It may poſſibly be ſuſpected, that from principles of gratitude for private favors, I may have been blinded to, or prejudiced in favor of the great man's public conduct. I hope my character is too well known to fall under this imputation. I have never yet been able to pay my devoirs in perſon to his excellency; conſequently I could never have ſaid what the author pleaſed to ſay of me, that I acquit him of cloſetings, ſqueezings, and ſuch like cuſtomary arts. Let placemen and penſioners, a band in which I ſhall never inliſt, teſtify this. I hope every man can; I hope they are arts, which no lord lieutenant will ever dare to practiſe on this virtuous parliament, and I verily believe, the preſent ruler deteſts ſuch practices as much as I do. In public and in private, I have thought myſelf bound to juſtify this great character. Without having had any intercourſe with him or his miniſters, I ſaw many proofs of his public ſpirit agreeable to the hopes I had conceived from his general character, and his being more intereſted than any of his predeceſſors, in the freedom and happineſs of this kingdom.

Theſe, I confeſs, gave me confidence in his excellency, and I gladly layed hold on two inſtances, that proved in my judgment, his conduct, when an unaſked for, not to ſay unneceſſary, vote or act of credit was offered, and when the alteration in the corn bill came over. Here I confeſs myſelf, in the only inſtances of my life, under ſome degree of what you may call court influence, for, this was ſuch a conduct as raiſed him ſtill higher in my eſteem, and I did him the juſtice to declare my ſentiments, as I alſo ſhould, and ſhall do, if his future conduct ſhould poſſibly, as I hope it ſhall not, induce me to change my ſentiments.

* I have, ſaid he, quitted a comfortable ſettlement in a free country to embark in your ſervice. I have attended conſtantly, cloſely, ſtrictly to my duty. I have broke my health, impaired my fortune, hurt my family, and loſt an object dearer to me than life, by engaging with unwearied care and painful aſſiduity, in this painful, perilous, thankleſs ſervice. All this might be tolerable, if I could find myſelf uſeful to you or my country. But the only benefit, that I can ſee, reſults to thoſe, whom I cannot look upon as friends to their country, bands of placemen and penſioners, whoſe merit is inhanced and whoſe number has been generally increaſed, in proportion to the oppoſition given to the meaſures of miniſters. I dare not neglect, much leſs deſert my ſtation, but I wiſh by any lawful or honorable means for my diſmiſſion.

This

This nobleman was ſelected to introduce a very important change in the ſyſtem of governing Ireland. The choice was in many points judicious. In order to attempt the arduous taſk of ſupplanting the deep-rooted influence of the Iriſh oligarchy, it was requiſite, that the lord lieutenant, to whom that power was to be transferred, ſhould be endowed with thoſe qualities, that were moſt likely to ingratiate him with the Iriſh nation. The new lord lieutenant excelled all his predeceſſors in that convivial eaſe, pleaſantry, and humour, ſo highly prized by the Iriſh of every deſcription. The majority, which had been ſo dearly bought in the Commons, by thoſe who had heretofore had the management of the *Engliſh intereſt*, was now found not altogether ſo tractable, as it had heretofore been. There were three or four grandees, as Dr. Campbell obſerved, who had ſuch an influence in the Houſe of Commons, that their coalition would, at any time, give them a clear majority upon any queſtion. To gain theſe had been the chief anxiety of former governors: they were ſure to bring over a proportionate number of dependants, and it had been the unguarded maxim to permit ſubordinate graces and favours to flow from or through the hands of theſe leaders, whom experience now ſhewed to be as irritable and verſatile as the moſt inſignificant of their followers.* Formerly theſe principals uſed to ſtipulate with each new lord lieutenant, whoſe office was biennial and reſidence but for ſix months, upon what terms, they would carry the king's buſineſs through the Houſe: ſo that they might not improperly be called *undertakers*. They provided, that the diſpoſal of all court favors, whether places, penſions, or preferments, ſhould paſs through their hands, in order to keep their ſuite in an abſolute ſtate of dependance upon themſelves. All applications were made by the leader, who claimed as a right the privilege of gratifying his friends in proportion to their numbers. Whenever ſuch demands were not complied with, then were the meaſures of government ſure to be croſſed and obſtructed: and the ſeſſion of parliament became a conſtant ſtruggle for power between the heads of parties, who uſed to force themſelves into the office of lord juſtice according to the prevalence of their intereſt. This evil had been ſeen and lamented by Lord Cheſterfield: and his reſolution and preparatory ſteps for undermining it probably contributed not a little to his immediate recal upon

* Phil. Surv. p. 57.

the ceſſation of the danger, which his wiſdom was thought alone competent to avert.

This was the ſyſtem, which Lord Clare ſaid, *the government of England at length opened their eyes to the defects and dangers of: they ſhook the power of the ariſtocracy, but were unable to break it down.* The monopoly of civil power long ſurvived the adminiſtration of Lord Townſend: no ſmall ſhare of it reſted with that noble earl, who thus faithfully deſcribing it, practically knew the inability of the Engliſh government to break it down. The primary object of Lord Townſend's adminiſtration was to break up the monopolizing ſyſtem of this oligarchy. He in part ſucceeded, but by means ruinous to the country. The ſubalterns were not to be detached from their chiefs, but by ſimilar though more powerful means, than thoſe, by which they had enliſted under their banners. The ſtreams of favor became not only multiplied, but enlarged, conſequently the ſource of remuneration the ſooner exhauſted. Every individual now looked up directly to the fountain head, and claimed and received more copious draughts. Thus, under colour of deſtroying an overgrown ariſtocratic power, all parliamentary independance was completely ſecured by government. The innovation naturally provoked the deſerted few to reſentment: but they were bereft of their conſequence when left to their individual exertions.* They took refuge under the ſhelter of patriotiſm, and they inveighed with leſs effect againſt the venality of the ſyſtem, merely becauſe it had taken a new direction, and was ſomewhat enlarged. The bulk of the nation, and ſome though very few of their repreſentatives in parliament, were earneſt, firm, and implacable againſt it.

The arduous taſk, which Lord Townſend had aſſumed was not to be effected by a coup de main: forces ſo engaged, ſo marſhalled, and ſo commanding rather than commanded, as he found the Iriſh parliament, were not to be diſlodged by a ſudden charge: regular, gradual, and cautious approaches were to be made: it was requiſite, that the chief governor ſhould firſt be popular, and then powerful, before he could be efficient and ſucceſs-

* Under various pretences theſe gentlemen endeavoured to ſpirit up the people to adopt their reſentments, and they affected to take refuge in the arms of patriotiſm. The conteſt produced a ſeries of political letters, replete with wit and humour, inferior perhaps to nothing of the kind, except the letters of Junius. They have been ſince publiſhed in an octavo volume, under the title of *Baratariana. Phil. Surv. p.* 59.

ful.

ful. His lordſhip therefore to thoſe convivial faſcinations, to which the Iriſh are ſupereminently ſenſible, ſuperadded as many perſonal favors, as the fiſcal ſtores could even promiſe to anſwer, which in a people of quick and warm ſenſibility creates a ſomething very like momentary gratitude; and in order the more completely to ſeat himſelf in that effective power, which was requiſite for his purpoſe, he judiciouſly fixed upon a favorite object of the wiſhes and attempts of the patriots to ſanction with his countenance and ſupport.

The patriots had long and loudly complained, that although in early times the parliament of Ireland continued but for the year or ſeſſion, and then the popular repreſentatives having diſcharged the duties required of them for that period, reſigned their delegated authority and powers into the hands of thoſe, from whom they had received them, to be again at their free option and diſpoſal: yet in latter times their parliaments were prolonged from the beginning of each reign to the demiſe of the ſovereign, unleſs he choſe by an extraordinary exertion of prerogative to put an earlier period to their exiſtence by diſſolution. This they conſidered as a flagrant violation of the rights of the people: as from them, the repreſentatives derived their political character, its continuance ought to be commenſurate with the will of the people, not that of the crown: from the moment their power exceeded their delegation, it was uſurpation: the nation might in that caſe number ſeveral ſelf-created law-givers, not one repreſentative. A national evil, which called loudly for redreſs. Under this baneful ſyſtem, from the moment of their election, the commons became almoſt wholly independent of the people; and under the refined improvements of Sir Robert Walpole, in the management of parliamentary intereſt, the ſeduction became too powerful for moſt men, when they were at liberty to treat for life. The patriots anticipated the cure of venality in the frequency of their parliaments, the people hailed the welcome return of their power and controul over their repreſentatives, and government ſenſibly felt, that they could not longer withhold from Ireland what England had ſo long and ſo reaſonably enjoyed.* Dr. Lucas had ſeveral times failed in his endeavours to procure a bill for limiting the duration of parliament. Now however a ſeptennial bill was tranſmitted, and was returned with an alteration in point of time, having been changed into an octennial one. There appears to have been ſome unfair manœuvring

* Our parliaments have continuance for ſeven years, by 1 Geo. 1. c. 38.

in the Britiſh cabinet, in order by a ſide wind to deprive the Iriſh of that, which they dared not openly refuſe them. At the ſame time a tranſmiſs was made of another popular bill for the independance of the judges, in which they had alſo inſerted ſome alteration. It was expected, that the violent tenaciouſneſs of the Iriſh commons for the privilege of not having their heads of bills altered on this ſide of the water, would have induced them to reject any bill, into which ſuch an alteration had been introduced. In this the Engliſh cabinet was deceived: the Iriſh commons waved the objection as to the limitation bill, in order to make ſure at laſt of what they had ſo long tried in vain to procure, and conſidered that they ſurrendered no part of their privilege by objecting on this very account to the judges bill, which was tranſmitted at the ſame time with alterations: for, although this latter bill had been particularly recommended in the ſpeech of the lord lieutenant, it was on account of an alteration inſerted in it in England, upon the report of the committee appointed to compare the bill with the heads of the bill, unanimouſly rejected.*

No ſooner was the octennial bill returned, than the commons voted a reſpectful and grateful addreſs to the throne, beſeeching his majeſty to accept their unfeigned and grateful acknowledgments for the condeſcenſion, ſo ſignally manifeſted to his ſubjects of that kingdom, in returning the bill for limiting the duration of parliaments, which they conſidered not only as a gracious mark of paternal benevolence, but as a wiſe reſult of royal deliberation. And when the royal aſſent had been given, the action was ſo grateful to the people, that they took the horſes from his coach, and drew him from the parliament houſe to the caſtle with the moſt enthuſiaſtic raptures of applauſe and exultation.† But his lordſhip's‡ popularity did not laſt

* Vid. 8 Journ. Com. p. 270. The committee appointed to compare the bill with the heads of a bill for making the commiſſions of judges to continue *quamdiu ſe bene geſſerunt* have accordingly compared the ſame, and found that the following alteration hath been made therein. In the laſt ſheet, at the end of the laſt clauſe, after the word *Parliament*, the following words are added, "Certified by the lord lieutenant and council there under the great ſeal of Ireland, in like manner "as bills are uſually certified, or upon the addreſs of both houſes of the parliament of Great Britain." *Reſolved*, That the bill be rejected.

† Dr. Campbell, who made his philoſophical tour through the ſouth of Ireland, during the adminiſtration of Lord Harcourt, Lord Townſend's immediate ſucceſſor, ſaid, (p. 58) "That notwithſtanding that deed were ſo pleaſing to the people, yet they then began to think, that that favorite law was of no other uſe, but to increaſe the value of boroughs; a ſingle ſeat in one of which then ſold for 2000*l.* at leaſt.

‡ Ibid.

long.

long. By diverting the channel of favor, or rather by dividing it into a multitude of little ſtreams, the gentlemen of the Houſe of Commons were taught to look up to him, not only as the ſource, but as the diſpenſer of every gratification. Not even a commiſſion in the revenue, worth above 40*l.* a year, could be diſpoſed of, without his approbation. Thus were the old undertakers given to underſtand, that there was another way of doing buſineſs than through them. It was not, however, without much violence on both ſides, that he at length effected his purpoſe. The immediate ſufferers did not fail to call this alteration in the ſyſtem of governing, an innovation, which they artfully taught the people to reſent as a national grievance.

It is not a very extravagant ſyſtem, that all men are born with equal powers of mind, and that ſpecial circumſtances and occaſions draw forth this general mental aptitude into the various degrees of energy and excellence, which we witneſs in the indefinite variety of times, climates, religions, governments, changes, and affections of different portions of the human race. Whenever a great change takes effect upon the public mind of a nation, it is a primary duty of the hiſtorian to trace and faithfully to retail the cauſes, which have brought it about. We have before remarked, that a ſpirit of patriotiſm had begun ſoon after the Revolution to manifeſt itſelf in Ireland: and the firſt public effort of reſiſting Engliſh oppreſſion upon the true principles of the Revolution itſelf, was the publication of Mr. Molyneux's *Caſe of Ireland being bound by Acts of Parliament in England ſtated.*

The Engliſh Houſe of Commons, finding the arguments unanſwerable, ordered the books to be burned by the hands of the common hangman; a circumſtance very remarkable, as they were the very commons of the Revolution parliament; and could not deny the truth of its principles, without ſhaking the baſis of their own liberty, which muſt have upſet the whole ſuperſtructure of that government they had juſt raiſed. This conduct in the Commons of England raiſed jealouſy and ſuſpicions in the Commons of Ireland. They ſaw that the very principles of liberty, which Engliſhmen admired and revered in Locke as the foundations of the freedom of England, were reprobated in Molyneux, and condemned as ſeditious, when brought to bear upon Ireland. In that moment they moſt ſenſibly felt the galling ſituation of an arbitrary ſubordination. This execution inſtead of degrading, increaſed the character of the book. It had ſuffered political martyrdom;

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and, as in all other caſes of martyrs, its diſciples increaſed by perſecution. The people of Ireland ſought after and read Molyneux with avidity. The book has ever ſince been in the wideſt circulation, and its doctrines have been deeply engraven on the hearts of all true Iriſhmen. The politics of Molyneux are not leſs revered by the Iriſh, than the morality of Confucius by the Chineſe. The writings of Dean Swift went ſtill further in opening the minds of the Iriſh, and preparing them to nurture the ſeeds of freedom, and to vindicate thoſe rights, which Heaven has beſtowed upon the human race. He wrote to be underſtood by the common people, and made uſe of the cheapeſt mediums for diſtributing advice. The Draper's letters were cried about the ſtreets of Dublin, and ſold for a penny each. Every man who could read, read the Draper's letters. They were diſperſed through the kingdom, paſted up in alehouſes and cottages all over the country, and their influence was very ſuddenly perceived. Swift was the firſt perſon, who pointed out to the Iriſh the neceſſity of aſſociating againſt wearing foreign manufactures: and to that *non-importation* aſſociation muſt be attributed the ſucceſsful advances, which the nation was then making towards civil liberty. A proſecution was inſtituted againſt the printer of Swift's Eſſays, which terminated in the impriſonment of the printer (Alderman Faulkener), who peremptorily refuſed to give up the writer. This proſecution, like the burning of Molyneux's book, increaſed the popularity of the Eſſays and the author. It ſtimulated the ſatyric genius of the Dean, who literally wrote ſome of his enemies out of the world. It brought the doctrine of libels into diſcuſſion in the courts of Ireland; and the arguments of the counſel for the defendants convinced the people that the liberty of ſpeaking, thinking, and writing, was one of the great principles of the conſtitution.

The univerſal eſtimation, in which Mr. Molyneux's book, as well as the Draper's letters have been ſince holden by all that is reſpectable throughout the Britiſh empire, moſt irrefragably condemns the impolicy and injuſtice of the conduct of the Britiſh cabinet towards Ireland in both theſe inſtances. So proper, ſo beneficial to the country, ſo conſtitutional in their tendency did Lord Cheſterfield conſider the Draper's letters, that in order to reconcile the minds of the public to a deſirable meaſure during his adminiſtration, he himſelf framed a letter in the exact ſtile of Swift, then in his melancholy ſtate of dotage, and had it publiſhed under the ſignature of *the Draper*, and circulated in the ſame way, in which thoſe letters formerly had been. No nation

tion on earth naturally takes a more lively and active intereſt in the political events of the day than the Iriſh: none holds the efforts of wit, humour, and talent in higher eſtimation: none more juſtly appreciates the benefits and advantages of civil liberty. Upon principles ariſing out of theſe facts very ſoon after the acceſſion of his majeſty had the *Freeman's Journal* been ſet up in Dublin.

This paper was ſoon followed by another public print, called the *Hibernian Journal.* The gentlemen of the univerſity of Dublin ſupplied theſe papers with ample matter for entertainment and information. Dr. Lucas was the director of the *Freeman's Journal*; and from the elegance of compoſition and ſtrength of political argument, which marked ſeveral of the eſſays, it was known that they had alſo ſupport from Mr. Flood, Mr. Burgh, Mr. Yelverton, Mr. Grattan, and other gentlemen, then generally eſteemed. In the adminiſtration of Lord Viſcount Townſhend, another public paper appeared, called the *Dublin Mercury,** avowedly patronized by government. It was the buſineſs of this paper to turn every ſerious argument of the adverſary into ridicule. Men of extenſive learning and attic genius ſported their wit in print; among whom were Mr. Courteney, Captain Jephſon, and Dean Marlay. The preſs tranſplanted thoſe ſhoots of liberty to all parts of the country. Newſpapers appeared in every town, and tended to ſow the ſeeds of that ardor for civil freedom, that ended in the eſtabliſhment of Iriſh independance in the year 1782.

Very early in the ſeſſion, the attention of parliament was drawn to the conſideration of the army upon the Iriſh eſtabliſhment. This was a ſubject, upon which the nation was moſt juſtly ſore: and it is the more material to touch upon it, as out of the miſconduct of the Britiſh cabinet with reference to the military eſtabliſhment of Ireland, aroſe that important and wonderful revolution in the political ſyſtem of Ireland, which will hereafter be noticed in its appropriate time and order. The following meſſage was ſent to the Houſe of Commons from his exellency by the hands of the Right Hon. Sir George Macartney, who delivered it to the ſpeaker, and he read it to the Houſe.

* In theſe different papers appeared the ſeveral letters and eſſays, that we have before remarked made up the collection of *Baratariana.*

(TOWNSHEND.)

" GENTLEMEN,

" I am commanded by his majeſty to inform you, that his majeſty, upon the moſt mature conſideration of the ſtate and circumſtances of his kingdom of Ireland, judges that a number of troops not leſs than twelve thouſand men, commiſſion and non-commiſſion officers included, ſhould be conſtantly kept therein, for the better defence of the ſame; and that his majeſty finding, that, conſiſtently with the general public ſervice, the number before mentioned cannot always be continued in Ireland, unleſs his army upon the Iriſh eſtabliſhment be augmented to 15,235 men in the whole, commiſſion and non-commiſſion officers included, his majeſty is of opinion, that ſuch augmentation ſhould be immediately made, and earneſtly recommends it to his faithful Commons to concur in providing for a meaſure, which his majeſty has extremely at heart, as neceſſary not only for the honor of his crown, but for the peace and ſecurity of his kingdom; and I have his majeſty's ſpecial commands to aſſure you expreſsly, in his name, that it is his determined reſolution, that upon ſuch augmentation, a number of effective troops, not leſs than 12000 men, commiſſion and non-commiſſion officers included, ſhall at all times, except in the caſes of invaſion or rebellion in Great Britain, be kept within this kingdom, for the better defence thereof. I have ordered a plan and eſtimate of the immediate charge, and of the annual expence, which will be incurred by this meaſure, to be laid before you; and if, by the ſtricteſt œconomy and the non-effective funds, any ſavings can be made, you may be aſſured, that, of the ſums which ſhall be granted no greater part ſhall be uſed than ſhall be indiſpenſably neceſſary for this ſervice. And I have it further in command from his majeſty to acquaint you, that his majeſty has been pleaſed to determine, that as the ſeveral general officers who now compoſe the ſtaff upon the military eſtabliſhment of this kingdom, ſhall happen to die, or be provided for, the number ſhall be reduced, and conſiſt of no more than a commander in chief, and five general officers." It was ordered to be entered on the journals, and at the ſame time a committee was appointed to enquire into the ſtate of the military eſtabliſhment, and alſo into the application of the money granted for its ſupport from 25th March, 1751. The reſult of this enquiry ſhewed manifeſt miſconduct, as appears from the report at large, and the returns thereunto annexed: part of the report is to the following effect:

" Your

" Your committee beg leave to take notice, that the entire reduction of the army, after the concluſion of the peace, did not take place till the latter end of the year 1764; and that it appears from the return of the quarter-maſter-general, that there were great deficiencies in the ſeveral regiments then upon the eſtabliſhment, at the ſeveral quarterly muſters comprized in the ſaid paper, which precede the month of January, 1765; the full pay of ſuch vacancies muſt amount to a very large ſum, and ought, as your committee apprehends, to have been returned as a ſaving to the public, eſpecially as it appeared to your committee, that orders were iſſued by government, not to recruit the regiments intended to be reduced." Upon the whole, it was reſolved that an addreſs ſhould be preſented to his majeſty, to lay before him the report of the ſaid committee, to acknowledge his conſtant attention to the welfare of the people, to expreſs the utmoſt confidence in his majeſty's wiſdom, that if upon ſuch repreſentation any reformation in the ſaid eſtabliſhment ſhould appear neceſſary to his majeſty, ſuch alteration would be made therein as would better provide for the ſecurity of the kingdom, and at the ſame time reduce the expence of the eſtabliſhment, in ſuch a manner as might be more ſuitable to the circumſtance of the nation. Whatever be or have been the unſound policy to ſuppreſs or miſrepreſent the actual ſtate of facts, when we look to Ireland with impartiality, from what has been ſtated, we have melancholy but indiſpenſable proof of the impoveriſhed ſtate of the kingdom at this juncture. She was oppreſſed by a rapidly increaſing debt, burthenſome taxes, unneceſſary expences, places and penſions, and evident miſapplication of the public money; and under theſe circumſtances the repreſentatives of the people made ſome ineffectual efforts for the relief of their country; but the majority was ſecured, and vainly did the efforts of patriotiſm encounter the exertions of the new ſyſtem, to keep individuals ſteady to their poſt on the treaſury bench.

The unuſual interval of 16 months between the diſſolution of the old and the meeting of the new parliament was carefully employed by the lord lieutenant in forming the particular arrangements with the new members for carrying on the work of government upon the new ſyſtem of the immediate influence of the chief governor: and conſidering the length of poſſeſſion, the nature of the power, the ſtruggle of the former holders to retain it, and their perſonal weight and influence upon their dependents, his efforts were uncom-

monly ſucceſsful for a firſt eſſay.* On the 17th of October, 1769, the lord lieutenant met the new parliament. Mr. John Ponſonby was unanimouſly elected ſpeaker of the Houſe of Commons. The lord lieutenant's ſpeech pointed only at three things, namely, the encouragement of the charter ſchool, the linen manufacture, and the prevention of running contraband goods, by which the revenue was much injured. His lordſhip however did the nation the juſtice ſo to mention the late popular act for limiting the duration of parliaments, as to juſtify the exertions of the patriots, who had ſo eagerly urged, and condemned the oppoſition of the court party, who had ſo obſtinately reſiſted the paſſing of that bill. "It is," ſaid his lordſhip, "with "particular ſatisfaction that I meet the firſt parliament limited in duration, "that ever aſſembled in this kingdom. I am confident, that you are come "together with the juſteſt ſentiments of duty and affection to our excellent "ſovereign, who has gratified the earneſt wiſhes of his faithful ſubjects of "Ireland with that great improvement of their conſtitution."

This firſt ſeſſion of the firſt octennial parliament of Ireland, under all the peculiarity of its circumſtances, ſtands unprecedented in the Iriſh annals. Lord Townſend, whoſe ſpecial miſſion was to renovate the court ſyſtem of government in that kingdom, after having ceded to the Iriſh party, with ungracious reluctance, the octennial bill, and laboured with unabated induſtry and contrivance through the long interval of 16 months to create a new junto in ſupport of the *Engliſh intereſt*, independent of their former leaders, had not ſo matured his plan as to have enſured the whole game. He had not altered the nature, but only raiſed the price of accommodation: and laviſh as the Iriſh have generally been of their voices in parliament to the higheſt bidder, there ever appear to have been ſome caſes reſerved out of the bargain. Such had been the reſervation of right to vote for limited parlia-

* Painful and diſcouraging as it is to contemplate the frequency and facility, with which the Iriſh (like too many other) patriots were drawn over, yet if their patriotiſm, whilſt it laſted, whether affected or ſincere, were founded in reaſon and truth, we muſt honor, revere, and commend the virtue, although we lament the profligate recreancy of thoſe, who abuſe and deſert its cauſe. The number of the wicked but enhances the merit of the good. It is an humiliating concluſion, which has been often, perhaps not without reaſon, drawn by real well wiſhers to their country, in ſupport of the union, that Ireland is better without any parliament at all, than to be curſed with a corrupt and venal one.

ments,

ments, in ſome of the moſt obſequious devotees to the meaſures of the caſtle: and ſuch now was a ſimilar exception in ſome of his penſioned ſupporters to reſiſt the right of the Engliſh council to make money bills originate with them, and not with the commons of Ireland. On this point the Britiſh cabinet and the Iriſh houſe of commons came fairly to iſſue.* The judges bill and

* It had long been the avowed and boaſted maxim of all Iriſh patriots to decry Poyning's Law as a moſt unconſtitutional national grievance. The union having now rendered its obſervance impoſſible, it behoves us, notwithſtanding, to conſider the effect, which its execution and reſiſtance have heretofore reſpectively produced upon the Iriſh nation. It was an act paſſed in the 10th Hen. VII. c. 4. This ſtatute is called Poyning's Law, from Sir Edward Poyning, the viceroy, who is generally conſidered to have obtained it by a manœuvre. The major part of the lords and commons were drawn from their attendance in parliament by ſtratagem, and in their abſence this law was paſſed; a law to which the poverty, calamity, and diſcontent of Ireland, have generally been attributed by the patriots. It enacts as follows, that "no parliament be holden hereafter in the ſaid land, but at "ſuch ſeaſon as the king's lieutenant and counſaile there firſt do certifie the king, under the great "ſeal of that land, the cauſes and conſiderations, and all ſuch acts as them ſeemeth ſhould paſs "in the ſame parliament, and ſuch cauſes, conſiderations, and acts affirmed by the king and his "counſail to be good and expedient for that land, and his licence thereupon, as well in affirmation "of the ſaid cauſes and acts, as to ſummon the ſaid parliament under his great ſeal of England had "and obtained; that done, a parliament to be had and holden after the form and effect afore re-"hearſed; and if any parliament be holden in that land hereafter, contrary to the form and provi-"ſion aforeſaid, it be deemed void and of none effect in law."

As this ſtatute precluded any law from being propoſed, but ſuch as were preconceived before the parliament was in being, which occaſioned many inconveniencies, and made frequent diſſolutions neceſſary, it was provided by ſtatute the 3d and 4th of Philip and Mary, chap. 4. that any new propoſitions might be certified to England in the uſual forms even after the ſummons and during the ſeſſions of parliament. To remedy in ſome meaſure the inconvenience ariſing from theſe laws, the Iriſh lords and commons had adopted a mode of originating laws in their own houſes. A lord or commoner applied to the houſe, of which he was a member, for leave to bring in heads of a bill, which leave being granted by the majority of the houſe, the heads of the bill were propoſed, received after regular diſcuſſion, alteration, and amendment, and having paſſed through all the forms of parliamentary order, paragraph by paragraph, and being perfected to the ſatisfaction of the houſe, where they originated, they were ſent to the Iriſh privy council, in order to be tranſmitted to the king of England. If theſe heads of bills were tranſmitted to England by the Iriſh privy council (which was not always the caſe), and were aſſented to by the king, they were then re-tranſmitted to Ireland, and if not negatived by one of the houſes of parliament, they received a formal royal aſſent from the viceroy. This ſtatutable authority of the Iriſh privy council was often complained of by the people of Ireland, as an unwholeſome medium between the king and his Iriſh ſubjects, and under its baneful influence, laws of the moſt ſalutary nature often periſhed. When heads of bills prepared by the Iriſh lords and commons, militated againſt the ſentiments of the

and the octennial bill had both been qualified on this ſide of the water to bring on the trial; and now another formal attack having been made upon the legiſlative powers of Ireland for the ſame purpoſe by the origination of a money bill in the privy council, the commons reſolved fairly to meet the queſtion: accordingly it was moved in the Houſe of Commons, that a bill, intituled, "*An Act for granting to his Majeſty the ſeveral Duties, Rates, Im-* " *poſitions, and Taxes, therein particularly expreſſed, to be applied to the Pay-* " *ment of the Intereſt of the Sums therein provided for, and towards the* " *Diſcharge of the ſaid principal Sums,*" ſhould be then read a ſecond time on the day following. This motion was negatived; and it was reſolved, that ſuch bill was rejected, becauſe it did not take its riſe in that houſe.

The lord lieutenant, though he thought proper to allow the Iriſh parliament to grant their own money in their own way, proteſted againſt the right claimed by the Houſe of Commons, and endeavoured, but in vain, to enter his proteſt upon their Journals. The houſe would not ſubmit to this encroachment upon their privileges: the lords were leſs inflexible, and after

council, or the wiſhes of the viceroy, ſuch bills were arreſted in their courſe to the throne, and in the technical language of the council, they were "put under the cuſhion," from whence they never reached the ear of majeſty. By Poyning's law, all bills muſt originate in the Iriſh privy council, and receive the aſſent of the king and council in England, previous to their being preſented to the legiſlative bodies of the Iriſh parliament; in conſequence of which proceſs, all bills that came certified from the Iriſh council to the king in England, were immediately on their arrival delivered to the attorney general of England, to be peruſed, and ſettled by himſelf or the ſolicitor general, but which in fact was generally done by ſome chamber council, who had leiſure to attend to it. The inconvenience of this was illuſtrated by a bill returned to Ireland altered in 74 places, which had been ſucceſsively reviſed by Lord Thurlow, when attorney general, Lord Roſelyne, when ſolicitor general, and the late Mr. Macnamara, a chamber council. The bill ſo metamorphoſed was rejected by the commons of Ireland. Theſe various corrections by an Engliſh, Scotch, and Iriſh lawyer, were of ſerious conſequence to government. The temporary duties of Ireland expired in a few days after the rejection of the bill. Several weeks elapſed before a money bill could be perfected, ſent over to England, returned, and approved by the Iriſh commons and lords—and in the interim the merchants imported duty free. The commiſſioners of the revenue, though no law exiſted, by which they could levy the duties, ſeized the goods, and lodged them in the king's ſtores. The merchants replevied, the commiſſioners oppoſed the ſheriffs of Dublin, raiſed the *poſſe comitatus*, broke open the ſtores, and the goods were conveyed to the merchants houſes in triumph. Certain it is, that the Britiſh conſtitution knows not any law, that gives power to any perſon or ſet of perſons, diſtinct from the great council of the nation, to frame, propoſe, originate, or ſuppreſs bills intended to be ſtatutes; which muſt be injurious to the legiſlative power of the ſtate, and ſubverſive of the conſtitution thereof.

much

much oppoſition and debate, his excellency's proteſt was ſolemnly recorded on the Journals of the Houſe of Peers. But before that was done, it having been generally ſuſpected, that ſuch was his intention, the following motion was made in the Houſe of Peers, " That the ſpeaker of this houſe be deſired " that no proteſt of any perſon whomſoever, who is not a lord of parliament, " and a member of this houſe, and which doth not reſpect a matter, which " had been previouſly in queſtion before this houſe, and wherein the lord pro- " teſting had taken part with the minority, either in perſon or by proxy, be " entered on the Journals of the houſe." After a warm debate upon this motion, the queſtion was negatived upon a diviſion of 30 againſt 5.*

Although only two bills paſſed in this ſingular and ſhort ſeſſion of parliament, it did not go over without incident: beſides what we have already remarked, the patriot party, not having been ſatisfied, that the papers delivered in from the treaſury, were ſufficient to bring the whole appropriation of the public money ſince the laſt parliament under their examination, moved for an addreſs to the lord lieutenant, apprizing him of what papers had been actually delivered in, and requeſting, that his excellency would be pleaſed to inform the houſe, if thoſe were the only eſtimates and accounts intended by his excellency's moſt gracious ſpeech: and a motion was made and the queſtion put, that an amendment be made to the ſaid addreſs, by inſerting the following words, †" being the only papers uſually laid before this houſe " at the beginning of a ſeſſion, in conſequence of the chief governor's ſpeech " and in purſuance of the addreſs of this houſe." Upon which a diviſion took place of forty-ſeven for, and ſixty-five againſt the motion. This was the firſt trial of the ſtrength of the lord lieutenant's newly marſhalled phalanx. It was not upon any of the excepted queſtions, and he was far from being ſatisfied with his victory.

The 21ſt of November, 1769, was the day appointed for the grand experiment of the new artillery, which his excellency found only to be defective, from the ſcantineſs of the priming: accordingly after this failure he deferred any further experiment, till he had more fully aſcertained the calibre of each piece of ordnance, and he took care to have it charged accordingly.

* Vid. App. No. LX. the proteſt of the five diſſentient lords, and alſo the proteſt of the lord lieutenant, and the whole proceeding thereupon from the Lords' Journals.

† 8 Journ. Com. p. 295.

" A motion

*" A motion being made, and the queſtion put, that a bill entitled, an act " for granting to his majeſty the ſeveral duties, rates, impoſitions, and taxes " therein particularly expreſſed, to be applied to the payment of the intereſt " of the ſums therein provided for and towards the diſcharge of the ſaid " principal ſums, in ſuch manner as is therein directed, be now read the " firſt time," it was carried in the affirmative: and the bill being accordingly read; a motion was made and the queſtion put, that the bill be read a ſecond time to morrow morning: the houſe divided: ayes ſixty-eight, noes eighty-ſeven. Then the motion, that the bill be rejected was put and carried by ninety-four againſt ſeventy-one: and it was reſolved *that the ſaid bill was rejected becauſe it did not take its riſe in that houſe.* The lord lieutenant took this defeat in the commons ſo much to heart, that he reſolved to bring no more government queſtions before them during that ſeſſion: or until he could, as the caſtle phraſe then was, make more ſure of the king's buſineſs. The repreſentations, which were made of this tranſaction in England, ſoon found their way into the newſpapers, and the light in which Mr. Woodfall placed the majority of the Iriſh Houſe of Commons on that important diviſion in the Public Advertiſer, fully proved the general ſentiments entertained at that time in England upon the whole ſyſtem of the Iriſh government. †On the 18th day of December, 1769, a motion was made and carried without oppoſition, that a paper entitled the Public Advertiſer, by H. S. Woodfall, London, December the 9th, 1769, might be read. It contained the following words: " Hibernian patriotiſm is a tranſcript of that " filthy idol worſhipped at the London Tavern; inſolence, aſſumed from an " opinion of impunity, uſurps the place which boldneſs againſt real injuries " ought to hold. The refuſal of the late bill, becauſe it was not brought in " contrary to the practice of ages, in violation of the conſtitution, and to " the certain ruin of the dependance of Ireland upon Great Britain, is a " behaviour more ſuiting an army of White-Boys than the grave repreſen- " tatives of a nation. This is the moſt daring inſult, that has been offered " to government. It muſt be counteracted with firmneſs, or elſe the ſtate " is ruined. Let the refractory houſe be diſſolved; ſhould the next copy " their example, let it alſo be diſſolved; and if the ſame ſpirit of ſeditious

* Journ. Com. vol. 8. p. 323. † Ibid. p. 344.

" obſtinacy

" obſtinacy ſhould continue, I know no remedy but one, and it is extremely " obvious. The parliament of Great Britain is ſupreme over its conqueſts, " as well as colonies, and the ſervice of the nation muſt not be left undone, " on account of the factious obſtinacy of a provincial aſſembly. Let our " legiſlature, for they have an undoubted right, vote the Iriſh ſupplies; " and ſo ſave a nation, that their own obſtinate repreſentatives endeavour " to ruin." Theſe paragraphs having been read, it was reſolved, that they were a falſe and infamous libel upon the proceedings of that houſe, a daring invaſion of the parliament, and calculated to create groundleſs jealouſies between his majeſty's faithful ſubjects of Great Britain and Ireland: it was therefore ordered, that the ſaid paper ſhould be burnt by the hands of the common hangman. And on the Wedneſday following, viz. the 20th of December, the ſaid paper was burned before the gate of the Houſe of Commons by the hands of the common hangman, in the preſence of the ſheriffs of Dublin, amidſt the indignant ſhouts of an immenſe croud of ſpectators, who loudly, though without outrage, reſented the inſult offered to their repreſentatives.

*On the ſame day (viz. 18th of December, 1769) Sir Charles Bingham, according to order, reported from the committee, to whom it had been referred, to enquire into the ſtate of penſions, the matter, as it appeared to them, with the reſolutions of the committee thereupon. The miniſterial party well knowing, that it was then his excellency's intention to prorogue the parliament within the week, and being ſenſible, that the ſubject of penſions was too green a wound to be then probed in that temper of the houſe, moved, that the further conſideration of the ſaid report ſhould be adjourned until the firſt Monday after the Chriſtmas holidays: on this tender ſubject many of the miniſterialiſts, who had quitted their ranks on the former queſtions, rallied according to their engagements, and outvoted the patriots: ninety-eight being againſt the agitation of the penſion liſt at that time, and eighty-nine only for it. So trifling a majority did not encourage the lord lieutenant to hazard any more queſtions before the prorogation: although no hint or ſuggeſtion had been thrown out by the miniſtry, that it was the intention of government to prorogue the parliament, yet ſo fully convinced of it were the patriots, that on the 20th of that month (of December) the commons

* Journ. Com. vol. 8. p. 345.

reſolved,

reſolved, that it was their undoubted privilege to addreſs the chief governor, to know whether he had any inſtructions or entertained any intentions to prorogue the parliament at an unuſual ſeaſon: an addreſs was therefore agreed upon, whereby it was requeſted, his excellency would inform the houſe, whether he had any inſtructions or had any intention to prorogue the parliament ſooner than uſual. Here again the lord lieutenant found his deficiency *in doing the king's buſineſs*: for upon a diviſion on the main queſtion the miniſter was left once more in a greater minority than ever: there being 106 for his excellency's making the declaration, and 73 only againſt it.* On the very next day, however, Sir George Macartney, the ſecretary, reported to the houſe, that his excellency had returned the following anſwer.

GENTLEMEN,

" I ſhall always be deſirous of complying with your " requeſt when I can do it with propriety. I do not think myſelf autho- " rized to diſcloſe his majeſty's inſtructions to me upon any ſubject, without " having received his majeſty's commands for ſo doing. With regard to my " intentions, they will be regulated by his majeſty's inſtructions and *future* " *events.*" This anſwer was neither ambiguous, nor gracious: *paſt events* had provoked it: and the lord lieutenant awaited only his juſtification from England of the meaſure, which his own judgment and diſpoſition had predetermined him to adopt. On the day after Chriſtmas day his excellency put an end to the ſeſſion.

A meſſage was ſent by the gentleman uſher of the black rod to the commons to attend his excellency in the Houſe of Peers, where after the royal aſſent was given to two money bills, the ſpeaker Mr. John Ponſonby made the following ſpeech at the bar of the Houſe of Peers.*

MAY IT PLEASE YOUR EXCELLENCY,

" His majeſty's faithful commons having, upon all occa- " ſions, given the ſtrongeſt, and moſt diſtinguiſhed proofs of their loyalty,

* Journ. Com. vol. 8. p. 353.

† It is remarkable that the Journals of the Lords take no notice of the ſpeaker's ſpeech to the lord lieutenant; that appears only in the Journals of the Commons (8 vol. p. 354.) and the Journals of the Commons make no mention of the lord lieutenant's ſpeech to the commons: that appears in the vol. 4 of the Lords Journals p. 538, the whole of which, with the proceedings and proteſt are to be ſeen in the Appendix, No. LXI.

" duty,

" duty, and affection to his ſacred perſon and government, do now attend your " excellency, to preſent you, for the royal aſſent, two bills of ſupply granted " by them this ſeſſion of parliament; one for granting unto his majeſty an " additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other " goods and merchandizes therein mentioned; and for prohibiting the im- " portation of all gold and ſilver lace, and of all cambricks and lawns, ex- " cept of the manufacture of Great Britain; the other for granting to his " majeſty the ſeveral duties, rates, taxes, and impoſitions therein particu- " larly expreſſed to be applied to the payment of the intereſt of the ſums " therein provided for, and towards the diſcharge of the ſaid principal ſums, " in ſuch manner as therein directed. The commons are pleaſed with every " opportunity of teſtifying their zeal for his majeſty's ſervice; and as they " always have, ſo they ever will continue, to ſupport and maintain his go- " vernment with dignity and honor. They think themſelves perfectly ſecure " under a prince, who conſiders it as his higheſt glory to make all his ſubjects " happy; they humbly preſume, that their loyal and dutiful behaviour will " entitle them to the continuance of his majeſty's favor and protection, and " they are perſuaded, from their knowledge of your excellency's regard to " juſtice, that they ſhall be repreſented as a dutiful, a loyal, and a grateful " people."

Whereupon his excellency made a very pointed ſpeech to the commons, ſetting forth his reaſons for proteſting againſt their conduct. Then the lord chancellor, by his excellency's command, delivered the ſaid proteſt to the clerks of the parliaments, which he read at the table, and kept, in order to enter it in the Journals of the lords: after which the chancellor, by his excellency's further command, declared the parliament prorogued to the 20th day of March next. The commons upon their return to their houſe gave orders, that their clerk ſhould not enter the lord lieutenant's ſpeech in their Journals.

The lord lieutenant having experienced ſo much inflexibility and difficulty in the management of the commons in the firſt ſeſſion, fully reſolved to meet them no more in parliament, till they were more properly marſhalled, and thoroughly broken in to every manœuvre of the new tactics. His excellency accordingly by proclamation on the 12th of March, 1770, prorogued them to Tueſday the 1ſt of May following: on the 20th of April, 1770, he further prorogued them to the 28th of Auguſt, and by three other ſucceſſive procla-

mations he further prorogued them to different periods, and ultimately to the 26th of February, 1771, and then to ſit for the diſpatch of buſineſs. This meaſure of depriving the nation of all benefit of their repreſentatives, becauſe a majority of them had ſtood up firmly for their privileges, coupled with the effect produced on the nation by ſome cavalier and angry expreſſions, which had eſcaped the ſecretary in debate, kept the public mind in a ſtate of foreneſs and irritation, which was not merely confined to Ireland. On the 3d of May, 1770, as ſoon as conveniently could be, after the ſecond prorogation, a motion was made in the Britiſh Houſe of Commons, by the Hon. Boyle Walſingham,* on the late extraordinary prorogation of the Iriſh parliament, which he introduced by a ſpeech, wherein he ſaid, that the ſtate of Ireland was moſt deplorable; that, in conſequence of the laſt unexpected prorogation, the following temporary laws had expired; the act for aſſigning judgments, by which the Roman Catholics could alone obtain landed ſecurity for their money; that the tax upon hawkers and pedlars had ceaſed, which had been appropriated to the ſupport of the incorporated ſociety for building Proteſtant charter ſchools; that 2800*l.* granted for public works, &c. would remain unappropriated in the treaſury; that many uſeful laws, regarding the late inſurrections, and the tillage and improvements of the country, had expired; and concluded with moving, "That an humble addreſs be "preſented to his majeſty, that he would be graciouſly pleaſed to give di- "rections, that there be laid before that houſe, a copy of all inſtructions "given to the lord lieutenant of the kingdom of Ireland relating to the laſt "ſudden prorogation of the Iriſh parliament, at a time when affairs of the "greateſt national importance to that kingdom were depending in the ſaid "parliament, together with the papers, on which the ſaid inſtructions were "founded, and his anſwers thereto; and likewiſe a copy of a meſſage of the "16th of November laſt, from the lord lieutenant of Ireland to the Houſe of "Commons of that kingdom, relative to the augmentation of the forces "there," which motion was ſeconded by the Hon. Conſtantine Phips; upon which the Right Hon. George Grenville ſaid, that the late prorogation was unconſtitutional; that the Stuarts had ever been deſirous of ruling without parliaments; that prorogations always followed grants of money, as was the caſe lately in Ireland; that adminiſtration had given up the prerogative of

* Parliam. Deb. 5 vol. p. 309.

the

the crown to obtain the augmentation in Ireland; that Lord Townſhend's meſſage, and the king's promiſe, were contrary to two Engliſh acts of parliament, the act of the laſt ſeſſions repealing the 10th of King William, and to the 13th of Charles the Second veſting the power and diſpoſition of all the land and ſea forces in the crown; that if this promiſe were obſerved, it would be in contradiction to thoſe two ſtatutes; he believed deceit and deluſion had been hung out to the Iriſh parliament, to induce them to come into the augmentation.

He then moved, that the papers relative to the augmentation alſo might be laid before parliament.

Lord North, in reply, ſaid, that the prorogation of the Iriſh parliament was unavoidable; the miniſter would have been impeachable, if he had adviſed otherwiſe: the reſolution of the Houſe of Commons was contrary to Poyning's law, the grand bond of the dependence of Ireland upon England, and warranted by the precedent of Lord Sidney in 1692; that, founded upon that, he adviſed the lord lieutenant's proteſt, and the prorogation of the Iriſh parliament; that he affirmed his majeſty's bounty from his privy purſe would be extended to the incorporated ſociety; that the augmentation could be obtained from Ireland upon no other conſideration, than the king's promiſe of 12,000 men being ſtationary at all times in that country. Sir William Meredith reverted to the original propoſition of his honorable friend; the conſideration of the prerogative of the Iriſh parliament; and in order thereto, he entered into a ſummary view of Poyning's law, and thoſe ſtatutes, which are derived from it; ſtrongly urging that the Iriſh Houſe of Commons had a right to give their reaſon for their votes, which did not impugn in the leaſt the validity of the ſtatute in queſtion. He continued, that he would not then comment upon the violation of the privileges of both houſes of parliament by Lord Townſhend's proteſt, but content himſelf with obſerving, that in a ſpeech of Sir George Macartney's, printed as it appeared to him in juſtification of that meaſure, he ſaid, that this council money-bill was a fine, which they paid for the renewal of parliament, and pointed to a man of great abilities in that country; telling the houſe at the ſame time, that he had loſt his place of chancellor of the Exchequer, for impeding the progreſs of a ſimilar bill at the commencement of his preſent majeſty's reign, recommending it to others to avoid a like fate. He then contended, that the proceedings of adminiſtrations in Ireland had been moſt ar-

bitrary and oppreſſive. Their houſe had a coercive power over miniſters in every part of the Britiſh empire; and he hoped, that the afflicted country of Ireland, would obtain from the Britiſh legiſlature, that reparation, which her own parliament could no longer give her; and that their policy and intereſt would induce them to do that, which juſtice loudly demanded from them.

The houſe at length divided upon the queſtion, when 66 were for it, and 178 againſt it.

The augmentation of the army had very conſiderably augmented the debt of the nation, which for two years ending at Lady Day, 1769, amounted to 628,883*l.* 17*s.* 10½*d.* and the penſions during the ſame period amounted to 177,052*l.* 11*s.* 5½*d.* The national diſtreſſes called loudly for the interference of the legiſlature. All were diſſatisfied: ſome publickly complained. The corporation of the city of Dublin, on the 29th of October, 1770, tranſmitted an addreſs under their common ſeal to his majeſty, wherein they humbly informed him, that from ſome defects in the laws relative to corn, flour, and other neceſſaries of life, and in the laws affecting the police of that city (a ſituation from which they could only be relieved by the meeting of parliament), his majeſty's ſubjects there experienced many and great difficulties, and apprehended yet greater; and therefore beſought his majeſty to grant them ſuch relief, as in his royal wiſdom he ſhould think fit. During this ceſſation of parliament, the lord lieutenant redoubled his efforts to complete his operoſe ſyſtem of enſuring a majority of individuals. This neceſſarily expoſed him to numberleſs applications, to which he neither had the means nor the will to accede. Anxious to perfect his ſyſtem with all poſſible diſpatch, he frequently found himſelf thwarted by the ſlenderneſs of his means, but had the addreſs to accompany the diſappointment or refuſal with ſome trait of humour, which ingratiated rather than offended the Iriſh.*

The dearth of political virtue in Ireland has long been the theme of lamentation to moſt men, of deriſion to ſome, and even of boaſt to others: the hiſtorian has but to ſhew, who at different times have ſupported, who have deſerted, and who have reſiſted her cauſe. During the long interval of 14 months, that Ireland, greatly diſtreſſed and impoveriſhed, was kept without a parliament, the lord lieutenant did not labour in vain to bring over a conſi-

* It has been generally ſuppoſed, that this noble lord had ſketched and publiſhed a caricature (in which he excelled) of himſelf, with his hands and feet fettered: he had one of them in his ſtudy, and would often humouroufly point to it by way of apologizing for a refuſal.

derable

derable portion of the oppoſite party; at the head of which ſhone conſpicuous, the great *quondam* patriot, Mr. Sexton Pery, who was firſt ſeated in the chair of the houſe of commons, with a promiſe of being ſoon after raiſed to the peerage. With this acceſſion of force the lord lieutenant, on the 26th of February, 1771, faced the parliament in full confidence; he told them in his ſpeech, it was with the trueſt ſatisfaction that he obeyed his majeſty's commands to meet them again in parliament. He obſerved in his ſpeech, that the then high price of corn was an object of the firſt importance, and demanded the moſt ſerious attention; at the ſame time he recommended the continuance or revival of ſuch laws, as ſhould be found to be immediately neceſſary for the general good of that country. Addreſſes were paſſed as uſual to his majeſty by both houſes, and alſo to the lord lieutenant; and the commons, in their addreſs to the former, acknowledged, with the moſt perfect ſubmiſſion, that they were ever tenacious of the honor of granting ſupplies to his majeſty, and of being the firſt movers therein, as they were the voluntary tribute of grateful hearts to the beſt of monarchs; and they moſt humbly beſought his majeſty, that he would not permit their zeal in this particular to be conſtrued into an invaſion of his royal authority, than which nothing was more diſtant from their thoughts: they likewiſe returned their moſt humble thanks to his majeſty, for continuing his excellency, Lord Townſhend, in the government of that kingdom. This addreſs was carried by 132 againſt 107. In conſequence thereof the ſpeaker wrote the following letter, which was communicated to the houſe by the clerk on the 4th of March, 1771.

" To the Honourable the Houſe of Commons of Ireland.

" GENTLEMEN,

" When I had the honor of being unanimouſly elected to the chair of the " houſe of commons, I entered on that high office full of the warmeſt ſen- " timents of loyalty to his majeſty, and firm determination to dedicate my " whole endeavour to preſerve and tranſmit to my ſucceſſor, inviolate the " rights and privileges of the commons of Ireland. But on the laſt day of " the laſt ſeſſion of parliament, his excellency the lord lieutenant was pleaſed " to accuſe the commons of a great crime, which I am confident was far " from their intentions, as it ever was and ever ſhall be far from mine, that of " intrenching upon his majeſty's royal power and authority, and the juſt and " undoubted rights of the crown of Great Britain; and as it has pleaſed the " houſe of commons to take the firſt opportunity after this tranſaction, of

" teſtifying

" teſtifying their approbation of his excellency, by voting him an addreſs of " thanks this ſeſſion; and as the delivery of ſuch approbation to his excel- " lency is incidental to the office of ſpeaker, I beg leave to inform you, that " as ſuch thanks ſeem to convey a cenſure of the proceedings, and a relin- " quiſhment of the privileges of the commons, my reſpect to them muſt prevent " my being the inſtrument of delivering ſuch addreſs; and therefore I requeſt " you may elect another ſpeaker, who may not think ſuch conduct incon- " ſiſtent with his honor. I am, gentlemen, your moſt obliged and moſt hum- " ble ſervant, *John Ponſonby*, ſpeaker."

The commons having hereupon proceeded to elect a new ſpeaker, Edmond Sexton Pery,* Eſq. had a majority of four votes, and was appointed in the room of Mr. Ponſonby.

Mr. J. Ponſonby on this occaſion was as much applauded by the people for his dignity of ſpirit and purity of principle, as the conduct of Mr. Pery was reviled and execrated. As the lord lieutenant had now ſecured a majority in parliament, his grand manœuvre was to do away the effects of the votes of the laſt ſeſſion, and juſtify his conduct in the ſudden and continued prorogations of the parliament. Nothing was permitted to paſs without a divi-

* The conduct and ſpeech of Mr. Pery on this occaſion beſpoke the forward zeal of a new profelyte.

" MAY IT PLEASE YOUR EXCELLENCY,

" THE commons in parliament aſſembled, have, in obedience to your ex- " cellency's command, proceeded to the election of a ſpeaker, and have elected me, and now at- " tend to preſent me to your excellency. It would give your excellency no favourable impreſſion of " my ſincerity, if I were to purſue the uſual form, and affect to decline this important office. I " confeſs it is the higheſt point of my ambition, and if I have the honor of your excellency's appro- " bation, I ſhall endeavour to prove by my conduct, that I have not been more ſolicitous to obtain, " than I ſhall be anxious to diſcharge the duties of it." The lord chancellor receiving directions from his excellency the lord lieutenant, ſaid, " Mr. Pery, I am commanded by his excellency " the lord lieutenant, to declare his full approbation of the choice, which the commons have made " of you for their ſpeaker, and he has the ſtrongeſt confidence that your knowledge of the laws and " conſtitution of your country, your experience in the buſineſs of parliament, and your loyalty to " the king, which ſo eminently qualify you for that important office, will carry you through it " with honor and univerſal ſatisfaction." Then Mr. Speaker ſaid, " Since your excellency has been " pleaſed to approve the choice of the commons, permit me to make my moſt humble and grateful " acknowledgments to your excellency, for having expreſſed your approbation in a manner ſo gra- " cious, and in terms ſo honorable to me; and to aſſure your excellency that I ſhall endeavour to " merit the continuance of your excellency's favour, by the faithful diſcharge of my duty."

ſion;

ſion; upon each of which ſucceſſively the patriots fell off. They were however reſolved to leave to poſterity upon their Journals a faithful portrait of their ſuffering country in that ſtate of decline; they moved and put the queſtion, which was loſt by a majority of 123 againſt 68, "That an humble "addreſs be preſented to his majeſty, expreſſing, that his faithful commons of "Ireland have been always moſt ready to repoſe the utmoſt truſt in the perſons "employed in high authority under his majeſty; that therefore his faithful "commons did confidently hope, that a law for ſecuring the independency "of the judges of this kingdom would have paſſed: ſuch a law having been "recommended, and promiſed by his excellency the lord lieutenant, in the "ſpeech from the throne, in the firſt ſeſſion of his excellency's government. "That, in like manner, as his excellency had recommended to that houſe, in his "ſpeech from the throne, in that ſeſſion of parliament, an attention to the high "price of corn, his majeſty's faithful commons did flatter themſelves, that "the tillage of the kingdom would have received encouragement; but that, "on the contrary, in a ſeſſion profeſſedly called for the making and receiving "uſeful laws, his majeſty's commons had the unſpeakable grief to find, "that two laws heretofore enacted, and tranſmitted, in order to be continued and revived, for the benefit of tillage; one for the reſtraining of diſtilleries, the other for a bounty on the carriage of corn coaſtways, had not "been returned, though calculated to meet and correſpond with the wiſhes of "government, expreſſed from the throne, reſpecting that important article to "the community, whereby that kingdom has been debarred of the benefit of "two uſeful laws; the ſalutary effects of which they had formerly experienced, and which the then exiſting circumſtances of that country, and "the morals of the people, peculiarly required. That the ſuppreſſion of thoſe "bills, and the unexpected alteration of others, whereby the hopes of that "country, founded in the declarations of his majeſty's ſervants there, had "been fruſtrated, tended to weaken the confidence of the public in his majeſty's miniſters, ſo eſſential to the dignity of the crown, and to the happineſs of the ſubject. That both public and private credit was in a very low "ſtate, that government ſecurities, which uſed to bear a conſiderable premium, could not then be circulated at par. That money could ſcarcely "be obtained, and that the price of land was falling. That the circumſtances could not fail to be attended by melancholy and anxious apprehenſions in the moſt loyal of his majeſty's ſubjects; and imploring that his

"majeſty

" majeſty would be graciouſly pleaſed to take ſuch ſteps for the remedy there-
" of, as his royal wiſdom and paternal dignity ſhould ſuggeſt."

In the addreſs of the commons to the lord lieutenant, which was moved for and carried on the 16th of May, two days only before the prorogation, the patriots objected to the thanks contained in it for his excellency's *juſt and prudent adminiſtration*; but on a diviſion they were outvoted by 106 againſt 51: this addreſs together with the king's anſwer* to the addreſs of the commons to the throne, was conſidered, by the caſtle, to have completely counteracted the whole effect of the ſucceſsful efforts of the patriots in the laſt ſeſſion, and to have given the expreſs royal ſanction to every part of the viceroy's conduct.

The addreſs of the lords to the king contained the following paragraph: " We have the trueſt ſenſe of the many inſtances, which your majeſty has " been pleaſed to afford us of your paternal care, and particularly your con-
" tinuing the Lord Viſcount Townſhend in the government of this kingdom, " of which, as his experience enables him to form the trueſt judgment, ſo " his candor and integrity will we doubt not, move him to make the juſteſt " repreſentation." A warm debate took place upon the queſtion being put, that the ſaid paragraph do ſtand part of the addreſs; which was carried by thirty againſt fifteen. The proteſt entered by ſixteen lords on this occaſion, is an authentic and very preciſe hiſtorical document of the grounds and

* 2nd of May, 1771. Journ. Com. vol. 8, p. 383. The Right Honorable Sir George Macartney informed the houſe, that he was commanded by his excellency the lord lieutenant, to acquaint them, that his majeſty had been pleaſed to return a moſt gracious anſwer to the addreſs of this houſe, which he read in his place, and after delivered in at the table, and the ſame was read by Mr. Speaker (all the members being uncovered) and is as followeth,

" GEORGE R.

" His majeſty thanks the houſe of commons for the many warm expreſſions of " affection and loyalty contained in their addreſs, and for their congratulations on the increaſe of " his family.

" His majeſty is extremely glad to find that the opportunity he has given them of conſulting to-
" gether, at this time, for the general good of his kingdom of Ireland, has been received by them " with ſo much ſatisfaction, and he truſts it will be productive of every benefit to the public that " they could deſire.

" His majeſty is well pleaſed with the aſſurances given by the houſe of commons, of their regard " for his rights and thoſe of the crown of Great Britain, which it is his indiſpenſable duty to aſſert, " and which he ſhall ever think it incumbent upon him to maintain.

" G. R."

nature

nature of the oppoſition made in parliament to that lord lieutenant's adminiſtration.

Diſſentient.

1° Becauſe the repeated proofs we have of his majeſty's paternal tenderneſs towards his people, convince us, that a miſrepreſentation of his faithful commons could alone have determined his royal breaſt to exert his undoubted prerogative of proroguing his parliament at a criſis, when the expiration of laws eſſential to the well-being of this kingdom, ſeemed peculiarly to point out the moſt urgent demand for the aſſiſtance of the legiſlature: at a time, when the commons had given a recent efficacious teſtimony of their unremitting zeal for his majeſty's ſervice, by voting an augmentation of his majeſty's forces; a meaſure, which had been repreſented to parliament as highly acceptable to the king; at a ſeaſon too, when the ſuddenneſs of this unexpected mark of royal diſpleaſure, rendered its conſequences almoſt irritrievably fatal to the nation, inſomuch, that we ſee, with the deepeſt concern, an extraordinary deficiency in his majeſty's revenue, proceeding from the declining ſtate of our credit, trade, and manufactures, thereby occaſioned.

2° Becauſe the unbounded confidence we repoſe in his majeſty's inviolate regard to the fundamental principles of the conſtitution, aſſures us, that the attempt, which has been lately made, to infringe that balance, indefeazably inſeparable from its very formation, by entering upon the journals of this houſe a proteſt, animadverting upon the proceedings of the houſe of commons, was the reſult of pernicious counſels, inſidiouſly calculated to alienate the affections of the moſt loyal ſubjects, from the moſt amiable of princes: an opinion, in which we conceive ourſelves by ſo much the better founded, as this unconſtitutional extenſion is unprecedented; (ſave only in one inſtance) which was followed by juſt diſapprobation of the ſovereign, teſtified by the immediate removal of the chief governor. We further conceive, that as the conſtitution of this kingdom is, in reſpect to the diſtinct departments of the crown, the lords, and the commons, one and the ſame with that of Great Britain; we ſhould depart not only from our duty to our king, and to this our country, but likewiſe from that, which we owe to Great Britain, if in our high capacity of hereditary great council of Ireland to the crown, we ſhould acquieſce under an attempt, which manifeſtly tends to ſubvert

* Lords Journ. vol. 4. p. 545.

that reciprocal independence of the three eſtates, which is the baſis of its ſecurity.

3° Becauſe the juſtice and piety, which ſhine conſpicuous in our ſovereign, as well in his domeſtic life as on the throne, do not ſuffer us to ſuppoſe, that this diſmiſſion of truſty nobles and commoners from his majeſty's privy council; the former only, becauſe they made a juſt exerciſe of their hereditary birth-right as peers of the realm, the latter, on account only of their parliamentary conduct, can have proceeded from the truly-informed intention of ſo great and good a prince.

4° Becauſe moderation, firmneſs, conſiſtency, a due diſtinctive regard to all ranks of perſons, a regular ſyſtem of adminiſtration, being, as we conceive, indiſpenſably requiſite to the ſupport and dignity of government, and to the conduct of his majeſty's affairs, we cannot, without violation of truth and juſtice, return thanks to the king for continuing a chief governor, who in contempt of all forms of buſineſs and rules of decency, heretofore reſpected by his predeceſſors, is actuated only by the moſt arbitrary caprice to the detriment of his majeſty's intereſts, to the injury of this oppreſſed country, and to the unſpeakable vexation of perſons of every condition.

Leinſter, (by proxy)	Baltinglaſs,
Weſtmeath,	Mount-Caſhell,
Laneſborough,	Moira, (by proxy)
Shannon,	Longford,
Mornington,	Louth,
Liſle,	Bective,
Powerſcourt,	Moleſworth,
Charlemont,	Bellamont.

And when on the ſame day it was reſolved, that the addreſs to the lord lieutenant, then before the houſe, ſhould ſtand the addreſs of that houſe: the ſame ſixteen peers* proteſted againſt it. Becauſe the addreſs to the lord lieutenant having contained acknowledgments of thanks to his excellency for his conduct in the government of that kingdom, to which they were conſcious he had not any juſt claim, they had therefore conceived it to be their

* Theſe ſame lords alſo proteſted againſt the motion for entering the lord lieutenant's proteſt on their journals: it is alſo a well conſidered, well worded and truly conſtitutional repreſentation of that extraordinary and illegal meaſure of Lord Townſhend: which ſee in the Appendix, No. LXII.

duty

duty to withhold even that accuſtomed compliment. No policy is more unwiſe, than to attempt to ſuppreſs from a nation (as from an individual) in debt the real ſtate of its finances. It appears evident, from the arguments of the ſtill uncorrupted patriots of the houſe of commons, from the proteſts of the ſixteen peers, from the ſtate of the national accounts ſtill upon record, and from other hiſtorical documents, that the national debt of Ireland very heavily accumulated during the adminiſtration of Lord Townſhend: yet we find, that after the experience, which two years and a quarter had given him of the inadequacy of the fiſcal reſources of that kingdom to anſwer his new plan of keeping up the *Engliſh intereſt*, he refrained from calling on the commons for any ſupplies, alledging in his ſpeech to parliament, on the 26th of February, 1771, that with very ſtrict œconomy, the duties granted laſt ſeſſion would be ſufficient to anſwer the expences of his majeſty's government; and therefore he would aſk no further ſupply.

The confidence, with which Lord Townſhend met the parliament in October 1771, was ſtrongly depictured in his ſpeech. "My experience," ſaid his excellency, "of your attachment to his majeſty's perſon, and of your "zeal for the public ſervice, affords me the beſt grounded hopes, that no- "thing will be wanting on your part to co-operate with his majeſty's graci- "ous intentions to promote the welfare and happineſs of this kingdom, and "when to this conſideration I add my remembrance of your kind regard "for the eaſe and honor of my adminiſtration, I feel the moſt ſenſible pleaſure "in the preſent opportunity, which his majeſty has given me of meeting "you a fourth time in parliament."* Notwithſtanding his boaſted œconomy, which prevented his application to the commons for any further ſupply in the laſt ſeſſion, he now told them, that it was with concern, that he muſt aſk a ſum of money to diſcharge the arrears already incurred on his majeſty's eſtabliſhments, but that they would find, they had been unavoidable; for that the ſtricteſt œconomy had been uſed, not only in the charges of the late augmentation, upon which a very large ſaving had been made, but in the reduction of the ſtaff, which was then diminiſhed to the number directed by his majeſty.†

Another

* Journ. Com. vol. 8. p. 405.

† Very ſtrong objections have been made to the unconſtitutional ſyſtem of Lord Townſhend's adminiſtration both in and out of parliament: but he had now ſo completed his ſyſtem of managing

Another part of the lord lieutenant's ſpeech referred to the illegal aſſociations and audacious outrages committed in divers parts of the kingdom, but eſpecially in the north, which deſerved their moſt ſerious attention, being as deſtructive to commerce, as diſgraceful to liberty: the parliamentary proceeding upon this recommendation, was a ſtill ſtronger illuſtration of the unconſtitutional tendency of the meaſures and general ſyſtem of that nobleman's adminiſtration. One of the inſurgents, charged with felony, had been apprehended and carried to Belfaſt, and there confined in order to be tranſmitted to the county jail. Provoked by this treatment of their aſſociate, ſeveral thouſands of them proceeded to Belfaſt, to reſcue the priſoner. When intelligence of this reached the town, it being reſolved not to give him up, he was removed to the barrack, and placed under a guard of ſoldiers. The Steel Boys preſſed forward to the barrack, firmly determined to effect a reſcue. The conſequence in all probability, would have been fatal to many on both ſides and to the town, had not a gentleman of commanding influence, interpoſed, at the riſque of his life, and prevailed with the military to ſet the priſoner at liberty. Being delivered up to his aſſociates, they marched off in triumph. One houſe only experienced the effects of their reſentment. Many, who were engaged in this enterprize, returned home, and had afterwards no further connexion with the rioters: yet their numbers daily encreaſed, and their ſpirit extended to the neighbouring counties. Beſides the

the houſe of commons, that he was ſure on all occaſions of one third majority on any queſtion: and it is remarkable, that by ſuch majority did he carry the queſtion on ſeventeen different diviſions, which took place in the houſe of commons on the two firſt days of the ſeſſion. Moſt of theſe queſtions aroſe upon the eulogies contained in the addreſſes upon the lord lieutenant's conduct and adminiſtration. Some however turned upon mere matters of fact, which the patriots charged him with having deſignedly miſrepreſented in order to deceive the people. One of the queſtions, upon which they divided, was upon a propoſal to inſert in the addreſs the following words: "notwithſtanding that the ſaid reſolution was propoſed to obviate the tendency of that part of the lord "lieutenant's ſpeech wherein he inſinuates, that the deductions made from the revenue for payment "of grants, for premiums, bounties, and public works, were the cauſe of the great arrears mentioned in his excellency's ſpeech." Another diviſion took place upon a motion for adding the following words to the addreſs: "notwithſtanding we muſt obſerve, that two of the gentlemen, "who reſigned the ſtaff, are aged and infirm, ſo that the public are not likely to receive ſo much "benefit from that alteration, as was graciouſly intended by his majeſty: and that a penſion of "200*l.* a year has been granted to General Lambert, and 300*l.* a year to his wife, in conſideration "of his long and faithful ſervices, making in all 500*l.* a year, which is within 47*l.* 10*s.* of the "ſaving accruing to the public from his reſignation." *Vide Com. Journ. vol.* 8. *p.* 408.

oaths,

oaths, which they exacted, they ill treated individuals and deſtroyed houſes; and ſeveral were guilty of other flagrant acts of inhumanity. Some of them were taken and tried at Carrickfergus; but whether from want of evidence, from fear of incurring the reſentment of the populace, or from partiality in the witneſſes and the jury, they were acquitted. On this account the legiſlature paſſed an act, by which all perſons indicted of ſuch offences were ordered to be tried in counties different from thoſe, in which the exceſſes were committed. In conſequence, ſeveral of the *Steel Boys*, againſt whom examinations had been taken, were carried to Dublin and put upon their trial. But ſo ſtrong was the prejudice conceived againſt this new law, that no jury there would find any of them guilty.

But when the* obnoxious act was repealed, reflection took place, and the pernicious

* This act 11 and 12 of Geo. III. c. v. was entituled, "*An Act for the more effectual Puniſhing wicked and diſorderly perſons, who have committed, or ſhall commit violences and do injuries to perſons or properties of any of his Majeſty's ſubjects in the Counties of Antrim, Down, Armagh, City and County of Londonderry, and County of Tyrone, or any of them; or who ſhall deliver or publiſh Threatening Letters, or who reſiſt or oppoſe the levying the public Taxes in the ſaid Counties, or any of them; and for the more effectual bringing to Juſtice certain Offenders therein mentioned.*" And the ſixth ſection of it is to the following effect, "and whereas there is great reaſon to believe, that ſuch wicked perſons have been greatly encouraged in the commiſſion of ſuch enormous crimes by their hopes of being acquitted, if to be tried by the petty juries of their reſpective counties: for the more impartial trial of all perſons ſo as aforeſaid offending, be it enacted by the authority aforeſaid, that if any indictment or indictments for offences committed, ſince the firſt day of January laſt, or which ſhall be committed againſt the ſaid acts of the twenty-ninth reign of his late majeſty George the Second and the fifth of his preſent majeſty, herein before mentioned, or either of them, or for high treaſon or murder committed ſince the firſt day of January laſt, or to be committed hereafter, or for any offence or offences, which ſhall hereafter be committed againſt this act, ſhall be found in any of the ſaid counties, where ſuch offences ſhall be committed, the offender or offenders to be mentioned in ſuch indictment or indictments, may be proceeded againſt and tried upon indictment or indictments for ſuch offences before ſuch commiſſioners of oyer and terminer and general gaol delivery, as ſhall be aſſigned by the king's majeſty's commiſſion under the great ſeal of this kingdom of Ireland, by the good and lawful men of the body of the county of Dublin, or of the county of the city of Dublin, as reſpectively ſhall be appointed in ſuch commiſſion, and at ſuch place within the ſaid counties or either of them as ſhall be appointed in ſaid commiſſion; and ſuch proceeding ſhall be valid and effectual in the law, as if the offence had been done within the county, where the ſame ſhall be tried; and ſuch indictment or indictments in ſuch caſes, ſhall be certified unto ſuch commiſſioners upon his majeſty's writ of *certiorari*, to be iſſued for that purpoſe; and that in all ſuch caſes no challenge to

"the

pernicious conſequence of the principles and the conduct of the inſurgents began to be viewed by the people in the true light. Once more ſome of them were tried in their reſpective counties. The indictments were proved, and they were condemned and executed. Theſe examples, with proper exertions of the military, extinguiſhed the commotion; though the conſequences of it produced effects that were permanent, and highly prejudicial to the country. In a ſhort time, many thouſands of its inhabitants emigrated to America.

The great ground of oppoſition to Lord Townſhend's adminiſtration was, that in ſupporting the government by unconſtitutional means, he deprived the country of that baſis of freedom and happineſs, to which by the fair enjoyment of its conſtitution it was entitled. When therefore the addreſs of thanks to the king was reported to the houſe by Mr. Foſter, of which the ſecond paragraph began in theſe words, "*We are fully perſuaded, that the "ſupport of your majeſty's government is the great and firm baſis of the free-"dom and happineſs of this country,*" an amendment was propoſed, that before the word *ſupport*, the word *conſtitutional* ſhould be inſerted; it was negatived by a majority of 88 againſt 36.*

The baneful example of the chief governor's marſhalling the ranks of parliament encouraged the already too deeply rooted principle of deſpotiſm throughout the nation. Not only the great lords and real owners of land exerciſed in general a moſt ferocious rule over their inferiors; but that obnoxious race of ſelf-created gentlemen, whoſe conſequence and virtue conſiſted in not being Papiſts, and whoſe loyalty was mere luſt for perſecuting and oppreſſing them, were uncontrolable in their petty tyranny. Even the lord lieutenant was ſo ſenſible of it, that being reſolved to pardon a Catholic gentleman unjuſtly found guilty, he withdrew the hand of mercy, with this reflection: *I ſee them reſolved upon his blood; ſo he may as well go now.*

The

"the array or the polls ſhall lye, or be allowed, by reaſon that the jurors do not or have not come from "the proper county or place, where the offence was committed, or by reaſon, that the trial is out of "the county or place, where ſuch offence was committed; but nevertheleſs upon the trials of ſuch "offences the challenge to any juror for want of freehold in the county where the ſame ſhall be tried "by virtue of this act, and all other due challenges to jurors ſhall be allowed, any thing in this preſent "act contained to the contrary in any wiſe notwithſtanding."

* During this adminiſtration we find by the Journals mentioning the tellers upon the different diviſions, that three of the moſt forward and conſtant ſupporters of every government queſtion were

The remainder of Lord Townſhend's adminiſtration went over without any further incident worthy of notice, either from the oppoſition of the patriots within, or the diſturbance of other perſons out of parliament. It is remarkable, that the whole of this lord's adminiſtration ſhould have paſſed without any public act, or the agitation of any queſtion concerning the Roman Catholics. Lord Townſhend's natural humanity and benevolence concurring with the known diſpoſition of his gracious majeſty to lenity and liberality, ſoftened as much as poſſible the rigor and ſharpneſs of the exiſting laws. His lordſhip could not however retire from a ſituation, which he had holden for near five years, without having given ſome proof of his zeal for promoting the Proteſtant religion. Having been ſo ſucceſsful in proſelytizing for the ſtate, he recommended to parliament his own ſpecific in gaining converts to the church. Such efficacy did he annex even to the ſmalleſt penſion, that he conceived an additional 10*l.* per ann. a more powerful lure to bring over the Catholic clergy, than any of the means of rigor or intimidation enacted by former ſtatutes. A proviſion had been made by the 8th of Ann, that every Popiſh prieſt, who had or ſhould become Proteſtant, and be approved of as a convert, ſhould have 30*l.* yearly for his maintenance, until provided for by ſome eccleſiaſtical preferment beyond that amount. But by an act of this ſeſſion it was recited, that it had been found by experience, that the former act had not anſwered the purpoſes intended, *eſpecially as the proviſion* made as aforeſaid *for ſuch Popiſh prieſts is in no reſpect a ſufficient encouragement for Popiſh prieſts to become converts*; it was therefore enacted, that 40*l.* ſhould in future be allowed annually, in lieu of 30*l.* to every Popiſh prieſt converted from the Popiſh to the Proteſtant religion. The multiplication of theſe allowances up to the heighth of the moſt proſelytizing zeal could not interfere with the civil liſt of penſioners, as theſe ſpiritual dou-

were Mr. Monk Maſon, Mr. Foſter, and Mr. Fitzgibbon: and hiſtorical juſtice obliges us to remark, that the truth or falſity of the propoſitions little availed, provided it were made a government queſtion. Thus beſides the inſtances already adduced, we find upon the Journals (8 vol. iii) the following reſolution negatived on the 8th of March, 1766: "That it be reſolved, that the "office of a commiſſioner of his majeſty's revenue would be better executed by a perſon reſident in "this kingdom, than by an abſentee." During this ſeſſion of 1771, died Dr. Lucas, whom, from his firſt entrance into political life, no promiſes or offers could ſeduce from untainted patriotiſm; in this particular he has been more admired than imitated by his countrymen.

* 11 and 12 Geo. III. c. xxvii.

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ceurs were to be levied on the inhabitants of the diſtrict, wherein the convert laſt reſided.*

This act for the encouragement of converts to the Proteſtant religion was alſo in ſome meaſure deemed neceſſary to counterbalance the effects of another act made in the ſame ſeſſion, ſuppoſed to be very favourable to the Catholics, and which in times of leſs liberality had been repeatedly thrown out of parliament, as tending to encourage Popery to the detriment and prejudice of the Proteſtant religion. This was *An Act to encourage the reclaiming of unprofitable Bogs.*† This act recites, that there were large tracts of deep bogs in ſeveral counties of the kingdom, which in their then ſtate were not only unprofitable, but by their damps rendered the air unwholeſome; and it had been found by experience, that ſuch bogs were capable of improvement, and of being converted into arable or paſture land, if encouragement were given to the lower claſs of people to apply their induſtry to the reclaiming of them. It therefore enacted, that, notwithſtanding the laws then in force, any Catholic might be at liberty to take a leaſe of fifty plantation acres of ſuch bog, and one half an acre of arable land adjoining thereto, as a ſite for a houſe, or for the purpoſe of delving for gravel or limeſtone, for manure, at ſuch rent, as ſhould be agreed upon between him and the owner of the ſoil, as alſo from eccleſiaſtical or bodies corporate; and for further encouragement, the tenant was to be free for the firſt ſeven years from all tythes and ceſſes; but it was provided, that if half of the bog demiſed were not reclaimed at the end of twenty-one years, the leaſe ſhould be void; and no bog was to be conſidered unprofitable, unleſs the depth of it from the ſurface, when reclaimed, were four feet at leaſt; and no perſon was to be entitled to the benefit of the act, unleſs he reclaimed ten plantation acres; and the act was not to extend to any bog within one mile of a city or market town.‡

When

* The conſequence, which by this act appears to have been annexed to the paltry ſum of ten pounds per annum, rather juſtifies the wit of the Iriſh (they will be witty on the graveſt ſubjects) upon the efficacy of *Townſhend's golden drops;* upon which, ſongs, ſquibs, toaſts, and epigrams were endleſs.

† 11 and 12 Geo. III. c. xxi.

‡ I have been rather particular in detailing the ſubſtance of this act, in order to give legiſlative proof of the unnatural and unaccountable parſimony, with which the Iriſh government heretofore dealt

When Lord Townſhend met the parliament for the laſt time, after the common place topics of congratulations and thanks for their long and cloſe attention to public buſineſs; he particularly aſſured the commons, that he ſhould faithfully apply the ſupplies granted at the beginning of that ſeſſion to the ſupport of his majeſty's eſtabliſhment, and to the advancement of the public ſervice. Yet that the arrears incurred before their meeting upon his majeſty's eſtabliſhment civil and military had made it neceſſary for him to borrow 100,000*l.* immediately after the act was paſſed; and that that ſum not ſufficing, he had ſince been obliged to raiſe the remaining 100,000*l.* being the full extent of the credit entruſted to him by that act. We have ſeen that ſome fruitleſs diviſions were made, upon the different conceptions, which the patriots had of the lieutenant's applications of the revenue, to the advancement of the public ſervice; they did not conſider the public purſe liable to any of theſe appropriations by way of bargain or remuneration, by which they openly charged the lord lieutenant with having obtained a majority of the members, in his ſupport, and kept them ſteady in their ranks.

dealt out juſtice even to themſelves and country. Such extreme bigotry could not be credited, if the public records of the nation, even as late as 1771, did not proclaim it in every line of the above-mentioned act. The liberal and philoſophical Dr. Campbell has given us a ſtriking inſtance of the backwardneſs of government, in earlier days, to encourage or promote the advantages, which nature has laviſhed on that country. Writing from Caſhel in 1775, he ſays, that the firſt place he ſtopped at in the province of Munſter, going from Kilkenny, was a little village called Killynaul; there he entered into converſation with his landlord. (*P. 120.*) "Upon my ſuppoſing, in my turn, that the "clear fire before me was of Kilkenny coal, his anſwer was ſomewhat indignant, yet fraught with "information." "Arrah no! my dear jewel, for by Shaſus we have as good coal as Kilkenny "ourſelves, ay and better too. The devil an inch you rode to day but upon coal pits. Sure it is "we, that ſerve all Munſter with coals, and Connaught too. Did not the Dutch boors offer to their "countryman, King William, that, if he would let them live by the laws of Holland, that they "would make meadow ground of the whole bog of Allen, and carry the coals of Killinaul, through "their canals, all over Ireland, ay and England too. For you ſee, that our coal is the hotteſt coal "in the univerſe, and the only coal for drying malt with, becauſe it has no ſmoke, and therefore "gives the beer neither taſte nor ſmell." He then touched upon the affair of the *White Boys*, to whom he was no friend. He ſaid they had been in that town the very night before. You have heard of theſe banditti. I am not yet in poſſeſſion of the true ſtate of their caſe. For it is ſo variouſly repreſented in this country, that one muſt liſten with attention, and aſſent with caution. But the whole country round Killinaul bears upon the very face of it an evident and ſufficient cauſe for their inſurgency; if inſurgency it may be called, where each houſekeeper diſclaims all connection with the wretches concerned.

Every effort to countervail the ſyſtem ſo ſucceſsfully eſtabliſhed by this lord lieutenant became not only negatively fruitleſs, but poſitively miſchievous by encreaſing the evil and extending the infection. As this governor had completely ſucceeded in his arduous attempt of reducing the parliamentary influence of Ireland to the uncontrolable direction of the caſtle, he took care in this farewell ſpeech to leave ſuch a portrait, as he wiſhed to hand down to poſterity of his adminiſtration of the kingdom of Ireland.

"His majeſty gave it in expreſs command to me, to make your intereſt "and proſperity the great object of my adminiſtration, and my own incli- "nation incited me to a ſtrict and zealous performance of that duty. I "have upon every occaſion endeavoured, to the utmoſt of my power, to "promote the public ſervice, and I feel the moſt perfect ſatisfaction in now "repeating to you my acknowledgements for the very honorable manner, "in which (after a reſidence of near five years amongſt you) you have de- "clared your entire approbation of my conduct. Be aſſured that I ſhall "always entertain the moſt ardent wiſhes for your welfare, and ſhall make "a faithful repreſentation to his majeſty, of your loyalty and attachment "to his royal perſon and government."

How far this chief governor of Ireland did in reality promote the intereſt and happineſs of the people of Ireland, the unbiaſſed obſerver of paſt ſcenes will judge more accurately than the chief actor himſelf. His lordſhip however has the credit of having ably performed the part allotted to him; as Dr. Campbell obſerved in the year 1775, his ſucceſſor *Lord Harcourt then found the parliament of Ireland as obſequious as that of Great Britain.**

When Lord Harcourt aſſumed the government in October, 1772, he had little to do, but to continue the ſyſtem, which his predeceſſor had with ſo much perſeverance, difficulty and charge to the finance regularly eſtabliſhed according to his inſtructions from the Britiſh cabinet. In order therefore to give continuance and ſtability to the new *Engliſh intereſt*, which had been raiſed upon the partial deſtruction of the Iriſh oligarchy, as Lord Clare obſerved, a man was choſen of amiable character, eaſy diſpoſition, and of no other ambition than to move by the direction, and thus acquire the approbation of his immediate employers. With the active labor of office he conſidered, that he alſo threw the burthen of reſponſibility upon his ſecretary.

* Phil. Surv. p. 59.

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He had been nearly twelve mónths in the government of Ireland before he met the parliament, on the 12th of October, 1773. Nothing particularly commands attention in his excellency's ſpeech: he aſſured the commons, that he had it in command from his majeſty, to lay before them the public accounts and eſtimates, by which they would be able to judge of the proviſions neceſſary to be made for the honorable ſupport of his majeſty's government, and to aſk the neceſſary ſupplies for that purpoſe; which on his part he pledged himſelf ſhould be faithfully applied and frugally adminiſtered. The addreſs, thanks and other proceedings uſual at the commencement of a ſeſſion paſſed without oppoſition. The firſt ſtand made by the patriots, was upon an alarm at the intention of government, in laying the accounts before the houſe, to hold back ſeveral of the documents, which would too palpably bring to light, the means uſed in the late adminiſtration of enſuring a majority *to do the king's buſineſs.** After the houſe had ordered the different accounts and eſtimates to be laid before them,† a motion was made for an addreſs to his excellency, that he would be pleaſed to give directions to the proper officers to lay before the houſe the eſtimates; and an amendment was propoſed to be made to the queſtion, by adding the following words, *as far as there are materials for that purpoſe*: upon which a diviſion took place, and the amendment was carried by 88 againſt 52. Thus was it left in the diſcretion of the clerks, or rather of their patrons, to bring forward or hold back what materials they choſe.‡

On the 24th of December, 1773, the commons were ſummoned to attend the lord lieutenant at the bar of the houſe of Peers, when his excellency gave the royal aſſent to ſome money bills, and to the repeal of that unconſtitutional act for the trial of offenders out of their own counties, paſſed in Lord Townſhend's adminiſtration. Mr. Pery had too long ſided with the patriots, not to ſee the real ſtate of diſtreſs and difficulty, into which the country was then plunged: and having himſelf gone over upon terms to the court party, he found it difficult to take any ſtep or ſuggeſt any meaſure to the Houſe of Commons, that could effectually check the ruinous ſyſtem, in which the patriots would not cordially join; and this would have been conſidered by

* Or rather, as Lord Clare obſerved, *the Miniſter's.*

† Journ. Com. vol. 9. p. 16.

‡ By this diviſion we ſee the proportionate ſtrength of the oppoſite parties in the houſe.

the people out of doors either as conceſſion, or coalition. A middle plan was therefore deviſed, by which the feeling and ſenſe of the repreſentatives of the people ſhould be, in part at leaſt, handed up to the throne through the lord lieutenant, without weakening the majority by hazarding the ſteadineſs of individuals on queſtions too palpable for plauſible controverſy. To accompliſh this half meaſure, calculated to commit miniſters, no further than to the uncertain reſult of conſequences, Mr. Pery, the ſpeaker, delivered the following ſpeech at the bar of the Houſe of Lords.*

MAY IT PLEASE YOUR EXCELLENCY,

"The commons have exerted their utmoſt efforts to anſwer your excellency's expectations, not only in providing for the diſcharge of an arrear of 265,000*l.* but alſo in making an addition to the revenue of near 100,000*l.* a year. Difficult as this taſk appeared in a kingdom ſo deſtitute of reſources as this is, yet it was undertaken with chearfulneſs and proſecuted with vigour; but if the means they have employed ſhall prove inadequate to the liberality of their intentions, it muſt be imputed to the inability of the kingdom not to any diſinclination or unwillingneſs in them to make ample proviſion for his majeſty's ſervice, to which they have ſacrificed their moſt favorite objects. The moderation and temper, with which all their proceedings have been conducted during the courſe of this ſeſſion, afford the cleareſt proof, not only of their gratitude for his majeſty's attention and condeſcenſion to their wiſhes, but alſo of the juſt ſenſe they entertain of your excellency's effectual interceſſion in their favor, to which they attribute thoſe meaſures of œconomy, which have been lately adopted, and which they doubt not will be continued; and they have the fulleſt confidence, that the ſame humane and benevolent diſpoſition will induce your excellency to repreſent to his majeſty in the ſtrongeſt light, not only their duty and affection to him, but alſo the ſtate and circumſtances of this kingdom: from which, and from your excellency's credit and influence, they conceive the moſt ſanguine hopes, that thoſe reſtrictions, which the narrow and ſhort ſighted policy of former times, equally injurious to Great Britain and to us, impoſed upon the manufactures and commerce of this kingdom, will be remitted. If Great Britain reaped the fruits of this policy, the commons of Ireland would

* Com. Journ. vol. 9. p. 73.

"behold

" behold it without repining, and ſubmit to it without complaining; but it " aggravates the ſenſe of their misfortunes to ſee the rivals, if not the ene- " mies of Great Britain, in the undiſturbed poſſeſſion of thoſe advantages, " to which they think themſelves entitled upon every principle of policy and " juſtice. It is the expectation of being reſtored to ſome, if not to all of " thoſe rights, and that alone, which can juſtify to the people the conduct of " their repreſentatives in laying ſo many additional burdens upon them, in " the courſe of this ſeſſion; and no time can be more favorable to their " wiſhes, than the preſent, when the public councils are directed by a " miniſter, who has judgment to diſcern, and courage to purſue, the common " intereſt of the whole empire, and when the throne is filled by a monarch, " the ſole object of whoſe ambition is to render all his people happy."

Lord Harcourt's adminiſtration at firſt promiſed ſo much moderation and fair intention to promote the real intereſt of Ireland, that it met with the ſupport of ſeveral moſt reſpectable and popular characters, which afterwards oppoſed it, when they found it carried forward entirely upon the principles and plan of the adminiſtration of Lord Townſhend. There was an affectation of correcting ſome of the defects, errors, and extravagances of the laſt adminiſtration; thus was the inſurgent act repealed: thus was the board of exciſe,* created

* The following proceedings in the commons were had upon this ſubject. (9 *Journ. Com.* 283.

" The houſe being informed that Mr. Vaughan Montgomery attended at the door, he was called " in, and at the bar preſented to the houſe, purſuant to their order:

" No. I. An account of all charges that have attended the new boards of exciſe and cuſtoms, " diſtinguiſhing each expence, and for what paid, from the 3d of February, 1772, to the 26th of " October, 1778.

" No. II. An account of all charges that have attended the appointment of the four new ſur- " veyors general, from their reſpective appointments to the 26th of October, 1778.

" No. III. An account of all new offices and additional charges on the eſtabliſhment of the " commiſſioners of exciſe during the period of Lord Viſcount Townſhend's adminiſtration.

" The titles whereof were read, and the accounts ordered to lie on the table for the peruſal of the " members.

" A motion was made, and the queſtion being propoſed, that it be reſolved, that the preſent ex- " pences of government ought to be greatly retrenched;

" An Amendment was propoſed to be made to the queſtion by inſerting between the word " reſolved," and the word " that," the following words, " that it is neceſſary and parliamentary at " this time to declare."

" And the queſtion being put, that the words propoſed, ſtand part of the queſtion:

" It was carried in the affirmative, *Nem. Con.*

" An

created in the former adminiſtration, aboliſhed, and thereby ſome ſaving made to the nation. It muſt however be allowed, that this lord lieutenant had the excluſive merit of having propoſed a meaſure, which the intereſts of Ireland had long called for, and which the influence of the great land owners in the country had always oppoſed. At the beginning of the firſt ſeſſion under Lord Harcourt, an abſentee tax was offered on the part of government, and wonderful to ſay, was rejected. In the then diſtreſſed and empoveriſhed ſtate of Ireland, it will be neither raſh nor harſh, to conclude, that the patriotiſm of the majority, which rejected this ſeaſonable relief to their country could have been neither diſintereſted nor pure. It was propoſed, that a tax of two ſhillings in the pound ſhould be laid upon the net rents and annual profits of all landed property in Ireland, to be paid by all perſons, who ſhould not actually reſide in that kingdom for the ſpace of ſix months in each year from Chriſtmas 1773 to Chriſtmas 1775. This meaſure though ſo equitable in itſelf, ſo deſirable for the country, which was drained of its own produce to be ſpent in another country, could not ſo decently be preſſed by the repreſentatives of the Engliſh government, as left to the free diſpoſal of the Iriſh parliament, whoſe intereſt it more immediately concerned. It was not therefore made a government queſtion, all their connexions were under-

" An amendment was propoſed to be made to the queſtion by inſerting between the word " de-
" clare," and the word, " that," the following words; " Notwithſtanding the reduction of expences
" lately made by government, and though the report is not yet made from the committee of ac-
" counts."

" And the queſtion being put, that the words propoſed ſtand part of the queſtion:

" It was carried in the affirmative, *Nem. Con.*

" A further amendment was propoſed to be made to the queſtion, by inſerting between the
" words, " accounts," and the word " that," the following words; " and notwithſtanding we
" have the utmoſt confidence in the preſent chief governor."

" And the queſtion being put, that the words propoſed ſtand part of the queſtion:

" It was carried in the affirmative, *Nem. Con.*

" And the queſtion ſo amended, is as follows:

" Reſolved, That it is neceſſary and parliamentary, at this time, to declare, notwithſtanding the
" reduction of expence lately made by government, and though the report is not yet made from the
" committee of accounts, and notwithſtanding we have the utmoſt confidence in the preſent chief
" governor, that the preſent expences of government ought to be greatly retrenched.

" And the main queſtion put:

" The houſe divided, when the ayes were 88 and the noes 112. It paſſed therefore in the nega-
" tive."

ſtood

ſtood to be left at perfect liberty, and moſt of the ſervants of the crown voted againſt the queſtion. Conſidering the powerful intereſt, that was made againſt the tax by the moſt conſiderable land owners on this and the other ſide of the water, the ſmall majority, by which it was rejected, is rather to be wondered at, there being 102 for and 122 againſt the meaſure.*

One

* The following letters to and from Lord North will fully and fairly diſplay the grounds of the failure of this deſirable meaſure for Ireland.

"MY LORD,

It is publicly reported, that a project has been communicated to the king's mini- "ſters, for propoſing in the parliament of Ireland, a tax of regulation, which is particularly and "excluſively to affect the property of thoſe of his majeſty's ſubjects, who poſſeſs lands in that king- "dom, but whoſe ordinary reſidence is in this. It is in the ſame manner publicly underſtood, "that this extraordinary deſign has been encouraged by an aſſurance from adminiſtration, that if "the heads of a bill propoſing ſuch a tax, ſhould be tranſmitted from Ireland, they would be re- "turned with the ſanction of his majeſty's privy council here, under the great ſeal of England. "My lord, we find ourſelves under the deſcription of thoſe, who are to be the object of this un- "precedented impoſition. We poſſeſs conſiderable landed property in both kingdoms; our ordi- "nary reſidence is in England. We have not hitherto conſidered ſuch reſidence as an act of "delinquency to be puniſhed; or, as a political evil, to be corrected by the penal operation of a "partial tax. We have had, many of us, our birth, and our earlieſt habits in this kingdom; ſome "of us have an indiſpenſable public duty, and all of us (where ſuch duty does not require ſuch "reſtriction) have the right of free ſubjects, of chooſing our habitation in whatever part of his "majeſty's dominions we ſhall eſteem moſt convenient. We cannot hear, without aſtoniſhment, "of a ſcheme, by which we are to be ſtigmatized, by what is in effect, a fine for our abode in this "country, the principal member of our Britiſh empire, and the reſidence of our common ſovereign. "We have ever ſhewn the utmoſt readineſs in contributing with the reſt of our fellow-ſubjects, in "any legal and equal method, to the exigencies of the public ſervice, and to the ſupport of his ma- "jeſty's government. We have ever borne a cordial, though not an excluſive regard, to the true "intereſt of Ireland, and to all its rights and liberties: to none of which we think our reſidence in "Great Britain to be in the leaſt prejudicial, but rather the means, in very many caſes, of affording "them a timely and effectual ſupport. We cannot avoid conſidering this ſcheme as in the higheſt "degree injurious to the welfare of that kingdom as well as of this; its manifeſt tendency is to "leſſen the value of all landed property there, to put reſtrictions upon it unknown in any part of "the Britiſh dominions; and as far as we can find, without parallel in any civilized country. It "leads directly to a ſeparation of theſe kingdoms in intereſt and affection, contrary to the ſtanding "policy of our anceſtors, which has been, at every period, particularly at the glorious revolution, "inſeparably to connect them by every tie both of affection and intereſt. We apply to your lord- "ſhip in particular. This is intended as a mode of public ſupply; and as we conceive the trea- "ſury of Ireland, as well as that of England, is in a great meaſure within your lordſhip's depart-

"ment,

One of the next ſchemes of finance was to raiſe the ſum of 265,000*l.* by tontine annuities with benefit of ſurvivorſhip at ſix pounds per cent. and the ſecond reading of the bill for this purpoſe produced a diviſion of a majority of 103 againſt 49.* The plan of the tontine was this. The ſum of 650,000*l.* was divided into ſhares of 100*l.* each, and for every ſhare one life was allowed to be nominated; the lives were divided into three claſſes. No dividend of the intereſt ariſing from the ſhares of thoſe, who died in each claſs was to be

" ment, we flatter ourſelves we ſhall not be refuſed authentic information concerning a matter in " which we are ſo nearly concerned; that if the ſcheme, which we ſtate to your lordſhip doth exiſt, " we may be enabled to purſue every legal method of oppoſition to a project in every light unjuſt " and impolitic. We have the honor to be,

" Your lordſhip's moſt obedient and moſt humble ſervants,

" Devonſhire, Rockingham,

" Beſborough, Milton,

" Upper Oſſory."

London, October the 16th, 1773.

Anſwer from Lord North to the Duke of Devonſhire:

" My Lord,

" Your grace, and the Lords Rockingham, Beſborough, Milton and Upper " Oſſory, having in your letter of the 16th deſired authentic information concerning a project of " propoſing to the parliament of Ireland, a tax upon the landed property of ſuch perſons, whoſe " ordinary reſidence is out of that kingdom, I will endeavour to ſtate in a few words, what has " paſſed upon the ſubject. In the courſe of the ſummer, the lord lieutenant of Ireland ſent over " ſeveral propoſitions for reſtoring the credit, providing for the debts, and putting upon a proper " footing the finances of that kingdom; at the ſame time he informed his majeſty's ſervants here, " that he had reaſon to believe, that among other modes of ſupply, there would probably be a tax " of the nature mentioned in your grace's letter. The anſwer, which was returned to his excellency, " by thoſe of his majeſty's ſervants, to whom this communication was made, was to the following " effect: that if the Iriſh parliament ſhould ſend over to England ſuch a plan, as ſhould appear to " be well calculated to give effectual relief to Ireland, in its preſent diſtreſs, their opinion would be, " that it ought to be carried into execution, although the tax upon abſentees ſhould be a part of it. " I beg leave to trouble your grace to communicate this information to the other lords, and have the " honor to be, with great reſpect, &c. &c. &c. North."

On account of this anſwer, circular letters were written by Lord Rockingham, to the ſeveral gentlemen who might be affected by this meaſure, propoſing a general meeting for the purpoſe of adopting the moſt eligible and effectual means of defeating it. But as it was rejected by the parliament, any further oppoſition became unneceſſary. A melancholy inſtance of the prevalence of ſelf-intereſt over that of the country in ſome of the moſt plauſible patriots.

* Journ. Com. vol. 9. p. 109.

made;

made; until it yielded a clear one half per cent. among the ſurvivors; and the increaſed intereſt never was to be more, than the principal originally advanced by each ſubſcriber. The remainder of the intereſt as it occurred, to be applied to the credit of the nation. This ſcheme was holden forth by the ſecretary of the day, as a maſter-piece in finance, as being little leſs than an actual gain of ſo much, without adding in the leaſt to the debt, as the principal was never to be refunded. The revenue being this year conſiderably ſhort of the expences of government, ſtamp duties were granted upon all parchment, vellum or paper, on which any legal proceeding or private inſtrument, of almoſt any nature, ſhould be written or engroſſed, according to the nature of the article ſtamped; the duties were at firſt granted for one year and nine months from the 25th of March, 1774; at the expiration of which period they were continued, and have been to this day, from time to time, raiſed very conſiderably. The ſtamp duties have been found by experience one of the moſt efficient reſources of the financier. It was confidently promiſed, that theſe duties would ſo far increaſe the revenue, as to be equal to the expences, when they had undergone the economical reduction thus intended, ſo that the pernicious practice of running in debt would be no longer purſued. The public accounts of the next ſeſſion, however, clearly diſplayed the fallacy of thoſe promiſes. As to the national debt, it amounted at Lady-Day, 1773, to 994,890*l.* 10*s.* 10*d.* and the total of penſions to 172,464*l.* 14*s.* 3½*d.* for the two years then ending. A bill for the improvement of the agriculture of that kingdom having paſſed, and being duly returned, the commons voted an addreſs of thanks thereupon to his majeſty, conſidering it as a ſignal inſtance of his paternal regard for his people of Ireland.

To the further credit of Lord Harcourt's adminiſtration muſt be laid the meritorious account of opening the door of that civil liberty, through which the great body of Iriſh Catholics were afterwards admitted to the rights of ſubjects. True it is, that the Britiſh miniſtry began about this time to be alarmed at the too well grounded diſcontents of the king's American ſubjects: the conſtitutional maxim, *no repreſentation, no taxation,* was fully conſidered and carried into action on the other ſide of the Atlantic; the fatal and ill-adviſed reſiſtance ended in the avulſion of that bright weſtern gem from the imperial diadem. It was impoſſible, that a man of Lord North's penetration ſhould not foreſee the inverſion of many conſtitutional maxims, when brought practically to bear upon the bulk of the Iriſh nation: he wiſely

therefore, though ſilently, inſtructed the lord lieutenant to endeavour by all means to ſooth and engage the affections of the Catholics by gradual relaxations of the rigorous code of penalties, pains, and diſabilities, under which they had ſo long and ſo patiently ſuffered. As early therefore in the ſeſſion as the 10th of November, 1773, *leave was given to bring in the heads of a bill to ſecure the repayment of money, that ſhould be really lent and advanced by Papiſts or perſons profeſſing the Popiſh religion to Proteſtants on mortgages of lands, tenements, and hereditaments; and that it might be underſtood to be a government meaſure of grace, Mr. Maſon, Sir Lucius O'Bryen, and Mr. Langriſhe, great and determined ſupporters of government, were ordered to bring it in. †On the preceding day leave had been given to bring in heads of a bill to enable Papiſts upon the terms and ſubject to the proviſoes therein mentioned to take leaſes of lives, of lands, tenements, and hereditaments. But neither one or the other of theſe bills at that time proceeded. The Iriſh antipathies to Popery, ‡and the reluctance of moſt men in place or power in Ireland to do juſtice to the Catholics deterred the eaſy mind of Lord Harcourt from puſhing forward, what they perſuaded him would create difficulties and diſturbances in parliament, and interrupt that eaſy and quiet majority which government then enjoyed, and which he had it ſtrongly in command to keep up by all poſſible and prudent means. Although the managers of the *Engliſh intereſt* in Ireland (this lord lieutenant was but their paſſive tool) had blaſted theſe two ſcyons of indulgence in their firſt ſhoot, yet the Britiſh miniſtry ſent over poſitive and uncontroulable orders, that ſome act of the legiſlature ſhould poſitively be paſſed in that ſeſſion of a ſoothing and conciliatory tendency to the Catholics: well imagining, that the breadth of the Atlantic would not prevent the infection

* 9 Com. Journ. p. 28. † 9 Com. Journ. p. 27.

‡ Thus Mr. Burke expreſſed himſelf upon this ſubject in a letter to a peer of Ireland in 1785, (p. 28): "From what I have obſerved, it is pride, arrogance, a ſpirit of domination, and not a "bigotted ſpirit of religion, that has cauſed and kept up thoſe oppreſſive ſtatutes. I am ſure I have "known thoſe, who have oppreſſed Papiſts in their civil rights, exceedingly indulgent to them in "their religious ceremonies; and who wiſhed them to continue in order to furniſh pretences for "oppreſſion; and who never ſaw a man by conforming eſcape out of their power, but with grudg-"ing and regret. I have known men, to whom I am not uncharitable in ſaying, though they are "dead, that they would become Papiſts in order to oppreſs Proteſtants; if being Proteſtants it was "not in their power to oppreſs Papiſts. It is injuſtice, and not a miſtaken conſcience, that has "been the principle of perſecution, at leaſt as far as it has fallen under my obſervation."

of

of political diſcontent in perſons equally ſuffering a deprivation of that nutriment and ſupport, which their conſtitution required for the preſervation of their exiſtence. On the 5th, therefore, of March, 1774, leave was given to bring in a bill to enable his majeſty's ſubjects of whatever perſuaſion to teſtify their allegiance to him;* and as the bill remitted no part of the then exiſting code of ſeverity, but purported merely a permiſſion to the Catholics of expreſſing their allegiance to their ſovereign, which before they had not, it paſſed both houſes without obſtruction or oppoſition.† It gratified the Catholics, inaſmuch, as it was a formal recognition, that they were ſubjects; and to this recognition they looked up as to the corner ſtone of their future emancipation. To this act and the well known and long tried allegiance of the Catholics, the lord lieutenant in his ſpeech to the parliament at the cloſe of the ſeſſion thus alluded: ‡"This reciprocal intercourſe of duty and protec-
" tion, which has for ſo many years happily prevailed, and from which ſo
" many ſalutary conſequences have been derived during his majeſty's auſpici-
" ous reign, holds out to every part of his majeſty's empire, an example
" reflecting the higheſt honor upon the virtues of a moſt amiable and ex-
" cellent ſovereign, and the wiſdom and good conduct of affectionate and
" loyal ſubjects. In the high ſtation, in which his majeſty has placed me, I
" claim no merit, but a faithful execution of his majeſty's gracious purpoſes
" for the happineſs of his people of Ireland, and the moſt juſt, and therefore
" the moſt favourable repreſentations of their loyal, dutiful, and affectionate
" conduct, which cannot fail to entitle them to the continuance of his
" royal favor and protection."

At the commencement of the next ſeſſion in October, 1775, the lord lieutenant obſerved, that, ſince the laſt meeting of parliament, his majeſty's tender concern for the welfare of that kingdom had induced him to paſs ſeveral laws in the Britiſh parliament highly beneficial to the commerce, manufactures, and agriculture of Ireland. " By the act, which extends the great advantage
" of Britiſh fiſheries to Ireland, a ſource of induſtry and wealth (ſaid he) is
" opened to you, which has made other nations great and flouriſhing. That

* 9 Com. Journ. p. 114. Mr. Robert French, and Sir Lucius O'Bryen, two miniſterial members, were ordered to bring it in.

† 9 Journ. Com. p. 160. 13 and 14 Geo. III. c. xxxv. For the form of this oath or teſt, vide Appendix, No. LXIII.

‡ 9 Journ. Com. p. 160.

" act, which allows the cloathing and accoutrements neceſſary for his ma-
" jeſty's forces paid from the revenues of this kingdom to be exported from
" Ireland, is a particular mark of the royal favor; and even that, which al-
" lows the importation of rape ſeed into Great Britain from this kingdom,
" under certain regulations, connected with thoſe ſalutary laws paſſed in our
" laſt ſeſſion, form ſuch a ſyſtem of agriculture and improvement as will, I
" truſt, ſecure riches and plenty to the people of Ireland. A bounty granted
" by Great Britain, upon the importation of flax, is ſo marked a recom-
" mendation of the linen manufacture, that it becomes needleſs for me to
" urge the moſt perſevering application to that ſtaple of the country."

The alluſion, which the lord lieutenant made to the proceedings of the Britiſh parliament, during the receſs of the parliament of Ireland, calls upon us to ſubmit to our readers, what paſſed on this ſide of the water during that interval. The opinions of the Britiſh legiſlators upon Iriſh incidents are ſtrong illuſtrations of Iriſh hiſtory. On the 16th of December, 1774, upon Mr. R. Fuller's calling for papers relative to our military forces in America, a deſultory, though intereſting converſation took place, in which the late Governor Johnſtone took occaſion to make ſeveral pointed applications to Ireland: they originated out of the confident and unequivocal declarations made in the courſe of the laſt ſeſſion by Mr. Rigby (maſter of the rolls in Ireland), that *the parliament of Great Britain had a right to tax Ireland in all caſes whatſoever as well as America.** Mr. Fox obſerved, that it was certainly

* 1 Parl. Deb. p. 19. " The kingdom of Ireland (ſaid Governor Johnſtone), within our own
" dominion, is a proof of what theſe learned gentlemen aſſert to be impoſſible. A worthy member,
" in my eye, being preſſed with this argument in the laſt ſeſſion of parliament, from the fairneſs
" of his mind, avowed, as his opinion, that we could tax Ireland. I remember there were ſome
" gentlemen in the gallery when this declaration was made, whom I immediately perceived by the
" contortions in their countenance to be Iriſh members. Next day the worthy member choſe
" to make ſome apology to his friends. He ſaid, no parallel could be drawn between Ireland and
" the colonies; for Ireland had a paraphernalia; and this ſatisfied both the Engliſh and Iriſh mem-
" bers. For my part, I do not ſee what difficulty can occur, in leaving the different colonies on
" the ſame footing of raiſing money by requiſition, as from the people of Ireland. Lord Clare
" (Nugent) jocularly complimented Mr. Rigby on the exceeding popularity, reverence, and eſteem,
" that gentlemen was held in by the whole Iriſh nation; that there was no man in England or
" Ireland more loved or revered. Mr. Rigby ſaid, he acted in that country as ſecretary to the lord
" lieutenant; which, on many accounts was rather an invidious and critical ſituation; that the
" ſentiments now alluded to, he maintained upon general principles; that his opinion was not ſin-
" gular,

tainly proper to include Ireland in all the debates upon American taxation, in order to aſcertain the parliamentary right of taxation over every part of the Britiſh empire.

As Great Britain never hitherto had been known to overflow with liberality and kindneſs to her ſiſter kingdom, it becomes proper to trace the true and genuine ſources, out of which this new diſpoſition to favor Ireland aroſe. The differences between America and her mother country had now broken into open war. Moſt of the leading members of the oppoſition in both countries (who afterwards compoſed that adminiſtration, which put an end to the American war) oppoſed the war upon principle: they inveighed againſt the unconſtitutional exactions of the miniſtry, and in their debates went very little ſhort of formally juſtifying the American rebellion. The analogy between America and Ireland was too cloſe to paſs unnoticed; and the defection of the American colonies produced ſtrong effects upon Ireland. The exportation of Iriſh linen for America had been very conſiderable; but now this great ſource of national wealth was totally ſhut up, by an extraordinary ſtretch of prerogative. Under the pretext of preventing the Americans from being ſupplied with proviſions from this country, an embargo was laid on the exportation of proviſions from Ireland, which in prejudicing that kingdom, ſerved only to favor the adventures of Britiſh contractors. This embargo, combined with other cauſes, which were invariable and permanent, produced the moſt melancholy effects. Wool and black cattle fell conſiderably in value, as did alſo land; and rents in many places could ſcarcely be collected; ſo much was public credit eſſentially injured. It has already been obſerved, that the parliament of Ireland had declared the general ſenſe of the kingdom reſpecting its diſtreſſed ſituation, and the illiberal reſtrictions thrown on its commerce: it had even de-

" gular, for he was ſupported in it by a ſtatute paſſed in the reign of George the Firſt: that he " begged to be underſtood, according to the obvious conſtruction of that ſtatute; and that, accord- " ing to that ſenſe of it, he ſtill continued to be of opinion, that the legiſlature of Great Britain had " a right to make laws to bind Ireland, and all the other members and dependencies of the Britiſh " empire. Sir William Mayne drew a melancholy picture of the ſufferings of the Iriſh; ſaid that " all promiſes had been ſhamefully broken with them; that penſions to the amount of 10,000*l.* " per annum had been lately granted on that miſerable, ruined, and undone country; and that the " caſtle was an aſylum to every needy, ſervile, cringing apoſtate, that would bow the knee, and bar- " ter every thing which ſhould be dear to him, for emolument and court favor.

fended

fended its conſtitutional privileges; and though the voice of the nation were only thus conveyed through the ſpeech of the ſpeaker of the Houſe of Commons, the public mind was not unknown in Great Britain. As the American fiſheries were now aboliſhed, it became neceſſary to think of ſome meaſures for ſupplying their place, and particularly to guard againſt the ruinous conſequences of the foreign markets either changing the courſe of conſumption, or falling into the hands of ſtrangers, and thoſe perhaps inimical to Great Britain. The ſtate of public affairs in Ireland it now ſeemed neceſſary to take ſome notice of, and to pay ſome greater conſiderations to her intereſts, than had been hitherto practiſed. The queſtion between England and her colonies, particularly in the manner it had been argued, was not calculated to quiet the kingdom of Ireland: and the repoſe of ſuch parts of the empire as were ſtill at reſt was never more neceſſary. In the criſis, to which matters were now evidently tending, little doubt remained, that every aſſiſtance would be requiſite from Ireland; beſides, her patience, her ſufferings, and her forbearance, might be holden up as a mirror, in contraſt to America: and though theſe merits had long paſſed unregarded, this did not ſeem a fit ſeaſon to encourage an opinion, that a ſimilar conduct would never obtain any reward. The nature of the benefit, however, was to be conſidered, and nothing could ſeem better adopted, than a donation, which would be an advantage inſtead of a loſs to the giver. It was not itſelf very conſiderable, but it might be conſidered as a beginning; and ſmall benefits carry weight with thoſe, who have not been habituated to great favors. It had been ſhewn to the Britiſh parliament, that the exports from England to Ireland amounted then to 2,400,000*l.* annually; beſides the latter ſupported a large ſtanding army, at all times ready for the defence of the former; and immenſe ſums of her ready caſh were ſpent there by her numerous abſentees, penſioners and placemen; yet by oppreſſive reſtrictions in trade, Ireland was cut off from the benefit of her great natural ſtaple commodity, as well as excluded from the advantage, which ſhe might derive from the peculiarity of her ſituation.

The Britiſh miniſter on the 11th of October, 1775, moved for a committee of the whole houſe, to conſider of the encouragement proper to be given to the fiſheries of Great Britain and Ireland. This attention to Ireland was generally approved of, and after ſome converſation on the hardſhips that country ſuffered, it was propoſed by Mr. Burke to extend the motion, by adding

adding the words "trade and commerce;" and thereby afford an opportunity to grant ſuch relief and indulgence in thoſe exports, as might be done without prejudice to Great Britain. The miniſter objected to this; however, the committee in its progreſs granted ſeveral bounties to the ſhips of Great Britain and Ireland, for their encouragement in proſecuting the Newfoundland fiſhery; and it was farther reſolved in favor of Ireland, that it ſhould be lawful to export from thence, cloaths and accoutrements for ſuch regiments on the Iriſh eſtabliſhment, as were employed abroad: and alſo, that a bounty of five ſhillings per barrel ſhould be allowed on all flax ſeeds imported into Ireland. This laſt reſolution was paſſed, to prevent the evils, that were apprehended there, from the cutting off their great American ſource of ſupply in that article. Another reſolution was alſo paſſed, by which Ireland was allowed to export proviſions, hooks, lines, nets and tools for the implements of the fiſhery. The committee alſo agreed to the granting of bounties for encouraging the whale fiſhery, in thoſe ſeas, that were to the ſouthward of Greenland and Davis's Streights fiſheries: and upon the ſame principle took off the duties, that were payable upon the importation of oil, blubber, and bone from Newfoundland, &c. They alſo took off the duty, that was payable upon the importation of ſeal ſkins.*

As ſoon as prudence would admit, after the lord lieutenant had called

* 1 Parl. Deb. p. 436. Mr. Burke thanked his lordſhip (North) for the friendly diſpoſition he had now ſhewn towards his (Mr. Burke's) native country; obſerving at the ſame time that however deſirous he might be to promote any ſcheme for the advantage of Ireland, he would be much better pleaſed, that the benefits thus held out ſhould never be realiſed, than that Ireland ſhould profit at the expence of a country, which was, if poſſible, more oppreſſed than herſelf. Mr. Thomas Townſhend condemned, in the moſt pointed terms, the narrow, weak, and ill-founded policy, which had directed the Engliſh councils in reſpect to Ireland, ever ſince that country had become a part of the Britiſh dominions; and recommended very warmly an enquiry into the ſtate of Iriſh commerce and manufactures, in order that ſuch of them as did not immediately interfere with thoſe of Great Britain, might receive every poſſible encouragement conſiſtent with the general intereſts of the whole empire. Mr. Conolly drew a very melancholy picture of the preſent ſtate of Ireland, and recapitulated many inſtances of the eminent loyalty of that country, and of the repeated proofs ſhe had given, for a ſeries of years back, of her readineſs to contribute much beyond her ability, to the common ſupport. Beſides the merits ſhe had to plead on theſe grounds, he pointed out the abſurdity of ſeveral of the reſtraints laid upon the Iriſh commerce; and endeavoured to ſhew that ſome of thoſe were as unkind as impolitic; and that there were ſome branches of trade, particularly that to the Levant, which might be laid open, much to the advantage of both countries, and to the complete rivalſhip of the French.

upon

upon the gratitude of the Iriſh parliament for the favors granted by the Engliſh legiſlature, his excellency ſent through his ſecretary, Sir John Blaquire, a meſſage to the Houſe of Commons to the following effect:

(" HARCOURT.)

" I HAVE his majeſty's commands to acquaint you, that " the ſituation of affairs in part of his American dominions is ſuch as makes " it neceſſary, for the honor and ſafety of the Britiſh empire, and for the ſupport of his majeſty's juſt rights, to deſire the concurrence of his faithful " parliament of Ireland, in ſending out of this kingdom a force not exceeding 4000 men, part of the number of troops upon this eſtabliſhment, appointed to remain in this kingdom for its defence; and to declare to you " his majeſty's moſt gracious intention, that ſuch part of his army as ſhall be " ſpared out of this kingdom, to anſwer the preſent exigency of affairs, is " not to be continued a charge upon this eſtabliſhment, ſo long as they ſhall " remain out of this kingdom. I am further commanded to inform you, " that as his majeſty hath nothing more at heart, than the ſecurity and protection of his people of Ireland, it is his intention, if it ſhall be the deſire " of parliament, to replace ſuch forces as may be ſent out of this kingdom, " by an equal number of foreign Proteſtant troops, as ſoon as his majeſty " ſhall be enabled ſo to do; the charge of ſuch troops to be defrayed without " any expence to this kingdom."

The meſſage having been referred to a committee, they reſolved, that this force of 4000 men might at that juncture be ſpared, provided they were no longer a charge upon the eſtabliſhment, than they remained in that kingdom. Upon which reſolution being reported to the houſe, the patriots determined not to let an opportunity go by, without manifeſting to their conſtituents their perſevering attention to the rights and welfare of the nation. They ſaw through this firſt opening the groſs inattention of the Britiſh cabinet to the internal defence and welfare of Ireland.

An amendment was accordingly propoſed to be made to the reſolution, by inſerting after the word " Reſolved," the following words, viz. " That having in conſequence of his majeſty's gracious recommendation, and of our " mature conſideration of the ſtate of this country, repeatedly declared our " opinion, that 12,000 men are neceſſary for the defence of this kingdom; " being ſenſible, that it would be a violation of the truſt repoſed in us, " ſhould we have ſubjected our conſtituents to a very heavy expence, in

" times

" times of perfect tranquility, for the purpoſe of providing a force, which " we are to part with in times of danger, and being convinced that ſince " the time, at which we firſt declared 12,000 men to be neceſſary, the " probability of a war has increaſed and not diminiſhed; it is now the " opinion of this houſe that"—

This propoſed amendment was negatived upon a diviſion of 103 againſt 58. Yet much to the ſurprize and embarraſſment of government, the ſecond propoſition of introducing foreign troops into that kingdom was negatived by nearly as large a majority as the firſt was carried; namely, by 106 againſt 68. The houſe accordingly voted an addreſs to his excellency, expreſſive of their ſenſe and reſolution upon this ſubject.* This conduct of the Iriſh commons is of ſingular importance in the hiſtory of Ireland, inaſmuch as it was the firſt patriotic ſtep taken by the repreſentatives of the people towards attaining

* 9 Com. Journ. p. 223.

To his Excellency, Simon, Earl Harcourt, Lord Lieutenant General and General Governor of Ireland. The humble addreſs of the Knights, Citizens, and Burgeſſes in parliament aſſembled.

" MAY IT PLEASE YOUR EXCELLENCY,

" We his majeſty's moſt dutiful and loyal ſubjects, the commons of Ire-" land, in parliament aſſembled, deeply impreſſed with a ſenſe of the many bleſſings we enjoy " under his majeſty's government, humbly requeſt, that your excellency will be pleaſed to aſſure " his majeſty of our zeal at all times for the ſupport of his juſt rights, and for the honor and ſafety " of the Britiſh empire. That your excellency will be pleaſed to expreſs the ready and cheerful con-" currence of his majeſty's faithful commons in ſending out of this kingdom a force not exceeding " 4000 men, part of the troops upon this eſtabliſhment appointed to remain in this kingdom for " its defence. That your excellency will be pleaſed to aſſure his majeſty, that we acknowledge his " paternal regard to the eaſe and relief of this country, manifeſted in his majeſty's moſt gracious " intention, that ſuch part of his army as may be ſent out of this kingdom during the preſent exi-" gency, ſhall not be continued a charge upon this eſtabliſhment, ſo long as they ſhall remain out " of this kingdom. That your excellency will be pleaſed to return his majeſty our moſt grateful " thanks for his gracious declaration, that his majeſty hath nothing more at heart than the ſecurity " and protection of his people of Ireland, of which his majeſty has given a ſignal proof, by his offer, " if it ſhall be the deſire of parliament, to replace ſuch forces as may be ſent out of this kingdom, " by an equal number of Proteſtant troops, the charge thereof to be defrayed without any expence " to this kingdom. And we entreat your excellency, that you will be pleaſed to aſſure his ma-" jeſty, that, fully ſenſible of his majeſty's benevolent attention to his faithful commons, after ma-" ture deliberation, they have agreed not to deſire that the 4000 troops, which may be ſent out of " this kingdomin the preſent exigency, ſhould be replaced, as mentioned in your excellency's meſ-" ſage; confiding in the vigilance and care of government, and truſting, that with its aſſiſtance, " his majeſty's loyal people of Ireland may be able ſo to exert themſelves, as to make ſuch aid at " this juncture unneceſſary."

that ſtate of civil liberty, which was obtained by the nation in what Mr. Burke called their revolution of 1782. Once the ſpirit of patriotiſm had regained an influence upon the miniſterial ranks, many of them rather ſought than ſhunned opportunities to unfetter their ſhackles, and ſome of them probably created occaſions of opening, with a view to improve the terms of their bargains. A more favourable opportunity could not have preſented itſelf to reſiſt the mandates of the Britiſh cabinet, than a renewed attack upon their favourite privilege of originating money bills in the commons. The heads of a bill for granting additional duties on beer, ale, &c. being tranſmitted, were returned with certain alterations, for which reaſon, the bill was rejected, and a new one framed. The like circumſtances alſo attended the bill for granting ſtamp duties. As there was by theſe means for ſome ſhort time no law there for collecting the additional duties on tobacco and other goods imported into that kingdom, great exertions were made by the importers to procure ſupplies of ſuch articles, before a new bill could receive the royal aſſent. An opportunity, which proved of ſome advantage to ſeveral individuals, and no inconſiderable detriment to the finance.

The patriotic party having on ſome great national queſtions been ſupported by ſeveral of the oppoſite ſide of the houſe, reſolved, ere the ſeſſion cloſed, to afford another opportunity of calling forth their exertions upon the general and melancholy ſtate of the nation.* A motion was accordingly made two days before the end of the ſeſſion for an addreſs to his majeſty, "to expreſs their inviolable attachment to his royal perſon and government, humbly to aſſure his majeſty, that they felt a conſcious happineſs in the ample and liberal diſcharge of duty to a ſovereign ſo ready to expreſs his gracious approbation of the loyal endeavours of his people. To return their unfeigned thanks for his majeſty's paternal ſolicitude at the burdens ſuſtained by his people; a ſolicitude repeatedly communicated to them from the throne by his majeſty's repreſentatives, and ſuggeſting to them an attention to the diminution of their expence, and the diſcharge of their national debt: that they met the wiſhes of his majeſty, and would not, by an inexcuſable ſilence, conceal from his majeſty the real diſtreſſes of his people of Ireland. That at the cloſe of the laſt war, the debt of that nation did not exceed 521,161*l.* 16*s.* 6¾*d.* which was then deemed ſo conſiderable, that his majeſty's

* 9 Journ. Com. p. 280. What the diviſion was on this occaſion the Journals do not diſcloſe.

paternal

paternal care thought itſelf called upon to direct the attention of his faithful commons to the diſcharge of their national debt, and to ſignify his gracious wiſhes for a very conſiderable diminution of their national expence. That after a peace of ten years, the debt of the nation appeared to be ſo increaſed, that it was voted by his faithful commons in the laſt ſeſſion of parliament, to be a ſum not exceeding 994,890*l.* 10*s.* 10$\frac{1}{2}$*d.* a circumſtance ſo alarming and inſupportable to his people, that they determined with one voice to put an end to the pernicious practice of accumulating debts, and they thought it their duty to accompliſh that neceſſary end by firſt endeavouring to raiſe the revenue of the kingdom to an equality with the eſtabliſhment. That they adopted every propoſition of his majeſty's miniſters, and accepted their promiſes of œconomy with unbounded confidence, vainly expecting, that it would be ever after unneceſſary to afflict their gracious ſovereign, by enumerating either the complaints or the diſtreſſes of his people. That as they wiſhed to ſecond the promiſed œconomy of his majeſty's miniſters by every effort on their part, they had conſiderably diminiſhed the ſum uſually granted by this houſe for the purpoſes of national improvement. That in order, that there might be no remnant of any arrear upon any of his majeſty's eſtabliſhments, they had departed from the uſual cuſtom of diſcharging the arrears to the 25th of March only, and had raiſed the ſum of 265,000*l.* to pay them up to the 29th of September, 1773; and to prevent the neceſſity of any arrear for the future, they had conſented to a ſtamp duty, and ſeveral other taxes, which their predeceſſors, in the times of the moſt expenſive wars, had never thought proper to impoſe. That the calculations of his majeſty's miniſters were admitted, their promiſes were relied upon, the taxes they propoſed were voted, and their projects were uninterrupted by any oppoſition from his faithful commons. But that they were then reduced to the melancholy neceſſity of informing their gracious ſovereign, that thoſe unqueſtionable proofs of their zeal had been equally proofs of their inability. That the new taxes had fallen ſhort of the eſtimates made by his majeſty's miniſters, and unequal, as they were to the effects, which were hoped for, they had ſerved only to ſhew, that they had arrived at that point of taxation, where the impoſition of new lowered the old duties. That the debts and incumbrances of his faithful ſubjects had increaſed with ſuch alarming rapidity, that they had in that ſeſſion been reduced to the unfortunate neceſſity of raiſing 175,000*l.* to defray the arrears incurred in one year and ſix months only. That the perſeverance of his faithful commons was not yet exhauſted, and they had again endea-

voured in that preſent ſeſſion, to ſupport his majeſty's eſtabliſhments, by new burdens upon themſelves. But that the experience of his majeſty's miniſters, aſſiſted by the beſt efforts of his faithful commons, had been able to deviſe one new tax only, a tax upon ſpirits; a tax the laſt, which they propoſed for his majeſty's ſervice, becauſe it was of the moſt doubtful nature; a tax, which proved their deſpondency as well as their zeal, and concerning which they knew nothing certainly, except that it could not produce enough. That they ſaw before them the neceſſity of borrowing, ſeſſion after ſeſſion continued. They ſaw the funds, on which they uſed to borrow nearly exhauſted. They ſaw the new duties, which they raiſed with the hopes of providing a ſufficient revenue within the year, mortgaged in part for the payment of incumbrances; and that they ſaw his majeſty's miniſters relapſing into their former deſpondency of ſupplying the exigencies of the ſtate, in any other manner, after every effort, made on their part, and ſeconded by them, and with a dreadful increaſe of debt incurred during the experiment. That if an indulgence to his majeſty's miniſters could induce them to ſuppreſs theſe truths, they ſhould be guilty of a criminal deceit towards the beſt of ſovereigns. That could they neglect the moſt eſſential intereſts of themſelves, their conſtituents, and their poſterity, ſtill their duty to his majeſty would prevent them from ſuffering the reſources of his majeſty's power and dignity to dwindle and decay; and that they were the more neceſſitated to make that earneſt application, because the evils they ſuffered were not temporary or occaſional; becauſe they could not attribute them to any phyſical evil, or proud national exertion, but to a ſilent, waſting, and inviſible cauſe, which had injured the people, without adding ſtrength to the crown. That they therefore performed that indiſpenſable duty of laying their diſtreſſes at the foot of the throne, that hiſtory might not report them a nation, which in the midſt of peace, and under a gracious king, equally ready to warn and relieve, proceeded deliberately to their own ruin, without one appeal to the wiſdom, which would have redreſſed them. And that they did appeal from the temporary expedients of his majeſty's miniſters, to his own wiſdom and virtues, and to that permanent intereſt, which his majeſty had, and ever would have, in the welfare of his people. And if ſupplication could add force to the pleadings of their common intereſt, and of their perſevering loyalty, they ſupplicated that his majeſty would graciouſly turn his royal attention to the reduction of their eſtabliſhments, which they were unable to ſupport, and which they would ſupport if they could. That they did not preſume to point out more particularly

larly what his royal wiſdom would more properly and effectually diſtinguiſh. That after all their efforts, and all their diſappointments, they had one ſure reſource in his majeſty's royal juſtice and wiſdom, and they did reſt aſſured, that their gracious ſovereign would not ſuffer the ſtrength of his crown to be impaired, or the glories of his reign to be ſullied by the unaccountable and entire ruin of a loyal people."

In order to get rid of this motion, the miniſterial party put and carried the queſtion, that the motion ſhould be adjourned to that day ſe'nnight; and upon its being thus negatived, another motion was made, and alſo carried, that an humble addreſs of thanks be preſented to his excellency the lord lieutenant, for his prudent, juſt, and wiſe adminiſtration. The majority of the votes for adjourning the conſideration of this motion took off none of the fatal truth and reſemblance of the portrait, which it exhibited of the nation at that melancholy juncture. An addreſs* was framed in the committee, and upon the ſecond reading of the fourth paragraph thereof an amendment was propoſed to be made by adding thereto the following words.

"At the ſame time, that we pay your excellency every perſonal reſpect, "and make you the ſame acknowledgments, which we have not refuſed to

* 9 Journ. Com. p. 282.

"MAY IT PLEASE YOUR EXCELLENCY,

"We his majeſty's moſt dutiful and loyal ſubjects, the commons of Ire-"land, in parliament aſſembled, obſerve with pleaſure the harmony, which ſubſiſts between our "chief governor and the people, the natural reſult of mutual good wiſhes. The additional ſtrength "which our happy conſtitution, the envy of foreign nations, has lately received, fills our hearts "with gratitude towards his majeſty, and muſt ever reflect honor upon your excellency's adminiſ-"tration. Freedom of election ſeems to be effectually ſecured by thoſe ſalutary laws, at length ob-"tained by your excellency's ſtrenuous interpoſition, which place our conſtitutional rights upon "a firmer baſis than ever they ſtood before. When the liberties of the people are ſecured, induſtry "prevails, and commerce ſurvives. We acknowledge with gratitude, that in return for the libe-"rality of the commons, new objects of trade, through your excellency's interpoſition, are pre-"ſented to us, and new ſources of commerce are opened, of which we perſuade ourſelves, that we "ſhall in time reap the good effects. We depend with the utmoſt confidence upon the continuance "of the ſame benevolent diſpoſition towards us, and that your excellency will take every opportu-"nity of repreſenting the advantages, which nature has beſtowed upon this iſland, peculiar to it "in ſituation, climate, and ſoil, which by proper attention and encouragement may prove a fund "of wealth and ſtrength to Great Britain, where the riches of this kingdom muſt ultimately center. "We concur with the wiſhes of the people, that your excellency may continue our chief governor: "Their affections are the ſureſt teſtimony both of your private and your public virtues."

"any

" any of your predeceſſors, we do not mean, that it ſhould be underſtood, " that the ſituation of this country is leſs deplorable now than it was upon " your excellency's arrival; a period in which her ſituation was admitted to " be deſperate. On the contrary, we muſt lament, that every propoſal, which " the wiſhes or abilities of your adminiſtration ſuggeſted, ſupported by the " moſt perfect conformity of parliament, in the courſe of four years has had " no other effect, than to leave this country more exhauſted than ever, more " incumbered with taxes, more loaded with debt, and more oppreſſed with " unneceſſary eſtabliſhments. That in the firſt ſeſſion of your excellency's " government, we were induced to grant new taxes in time of profound " peace, under a perſuaſion, that the promiſed frugality of adminiſtration " would juſtify the unuſual bounty of parliament, and put an end to the " pernicious practice of running in debt. That in the ſame ſeſſion we ſet the " example of œconomy to your excellency's adminiſtration, by abridging " our own expences; and we provided for the payment of a great arrear, " including a fifth half year, a liberality without precedent, but which we " adopted to take away all pretence of preſenting us with a future arrear. That " the failure of thoſe projects of finance propoſed under your excellency's ad- " miniſtration, as it was a teſtimony of the poverty of the kingdom, ſo it was " an additional reaſon for adminiſtration to preſerve inviolate the ſolemn en- " gagements of œconomy. That we cannot but lament, notwithſtanding " the liberal confidence of parliament, the ſolemn profeſſions of adminiſtra- " tion, and the authenticated poverty of the kingdom, our ſagacity cannot diſ- " cover any viſible retrenchment. On the contrary, we have been in the " courſe of this ſeſſion ſurpriſed with a new arrear, not leſs in proportion than " that incurred in the two laſt years of the adminiſtration of your predeceſ- " for. We behold the old burdenſome eſtabliſhments, which we know to be " unneceſſary, and feel to be inſupportable, continued, and increaſed; and " we ſee the old ſpirit of profuſion, which has long waſted us in time of peace, " oppoſing every project of retrenchment, whether conceived in the ſhape of " parliamentary reſolution, or humble addreſs to the throne, with fatal ſuc- " ceſs under your excellency's adminiſtration, which has been candid enough " to acknowledge public diſtreſſes, but not fortunate enough to relieve them. " When we ſtate theſe facts, we do not mean to attribute them to your excel- " lency's intentions, nor do we attribute to thoſe intentions the alarming and " military powers given to the loweſt officers in the revenue; as little do we

" attribute

" attribute to thoſe intentions the flagrant violations of our conſtitution " in the courſe of the laſt four years. We are convinced the alteration of " four money bills, that breach of conſtitution, and inſult on the dignity " and bounty of this nation; the queſtioning of the validity of the augmen- " tation compact by ſubtleties as dangerous as unintelligible; the involving " this country in a civil and unnatural war, the leaving her expoſed to any " invaſion by ſending away her neceſſary and ſtipulated defence in proſecu- " tion of that civil war; the attack made on her law, and the interruption " of her trade in the courſe of that civil war; the refuſal of a militia bill, " always eligible, now rendered neceſſary for our ſecurity, and ſo qualified " as not to alarm the arbitrary ſpirit of the times, were meaſures adopted " not in purſuance of your councils, but in total diſregard of them; and " we are the more ready to acquit your excellency's intentions of all thoſe " meaſures, becauſe if they did inſult this country, they did not leſs inſult " and violate the dignity of its chief governor. And when your excellency " ſhall return to the royal preſence, and lay before our ſovereign the un- " happy ſtate of this kingdom, you will pleaſe to repreſent us as a nation un- " able to exiſt for ten years under ſuch a ſyſtem of management as has unfor- " tunately been purſued during your excellency's adminiſtration; as a people " not inſenſible to an earneſt of a favourable diſpoſition ſhewn to us in ſome " late acts reſpecting our trade, conſidering that in proceſs of time they may " become a national benefit; but you will pleaſe to inform his majeſty, that " our condition is miſunderſtood, if it is thought that ſuch acts do atone for " the total want of œconomy hitherto, or can ſupport us under future pro- " fuſion. We entertain no doubt your excellency will make ſuch repreſen- " tation, conceiving the facts to be melancholy truths, and the repreſenta- " tion of them incumbent upon you as an indiſpenſable duty, becauſe the " meaſures, which have perplexed our revenues, increaſed our debt, and in- " ſulted our country, though we muſt ſuppoſe not agreeable to your ſenti- " ments, have all taken place under your adminiſtration."

So much analogy exiſted between the caſes of Ireland and America, that it became the faſhion both in and out of parliament to put them on a parallel, and to argue indifferently from one and the other: the American war never was popular either in Great Britain or Ireland; but in the latter of thoſe kingdoms, the people aſſumed the cauſe of America from ſympathy; in the former they abetted it upon principle. Government was ſeriouſly alarmed at the

the honorable light in which the American rebellion was generally viewed,* and found it incumbent upon them to diſcredit and debaſe the cauſe of America to the utmoſt. Lord Harcourt, in cloſing the ſeſſion, aſſured the parliament, that it muſt give ſincere pleaſure to every friend of Ireland to reflect, that whilſt a great part of his majeſty's dominions in America was torn and convulſed by a moſt unnatural rebellion, that kingdom wiſely and affectionately perſevered in its duty, enjoyed the bleſſings of tranquillity and abundance, and cultivated the arts of peace, and the improvements of commerce, agriculture, and manufactures. This flattering picture of the coun-

* The American diſpute, which ſo much engaged the attention of every part of the Britiſh empire, moſt naturally attracted the conſideration of the citizens of Dublin. In 1775, the Earl of Effingham, finding that the regiment in which he ſerved was deſtined to act againſt the colonies, thought it inconſiſtent with his character and unbecoming of his dignity to enforce meaſures with his ſword, which he had condemned in his legiſlative capacity. He therefore wrote a letter to the ſecretary at war, reſigning his command in the army, and ſtating his reaſons for it. This conduct rendered that nobleman extremely popular, and the city of Dublin, at the Midſummer quarter aſſembly, voted public thanks to Lord Effingham, "for having conſiſtently with the principles of a "true Engliſhman refuſed to draw his ſword againſt the lives and liberties of his fellow-ſubjects "in America." Soon after an addreſs of thanks, in fuller terms, was preſented to him from the guild of merchants of Dublin: the latter alſo preſented an addreſs of thanks to the ſeveral peers, who (as they ſaid) "in ſupport of the conſtitution, and in oppoſition to a weak and wicked "adminiſtration, proteſted againſt the American Reſtraining Bills." This addreſs, with the ſeveral anſwers of the lords to whom it was preſented, appeared at that time in the public papers, and produced a very ſtrong ſenſation throughout the nation. The ſheriffs and commons of Dublin had for ſome time endeavoured to obtain the concurrence of the then lord mayor and board of aldermen, in a petition to the throne, againſt the meaſures purſued with reſpect to the colonies, but were anſwered by the latter, upon their firſt application, that the matter was of the higheſt importance, and therefore expedient. Upon a ſubſequent occaſion, however, a committee of ſix aldermen, with as many of the common council, was appointed to draw up a petition and addreſs; which after ſeveral weeks preparation or delay, being at length accompliſhed, the petition was arreſted in its further progreſs, by a negative from the lord mayor and aldermen. Upon this diſappointment, the ſheriffs and commons entered into reſolutions, which they prefaced as follows: Anxious to preſerve our reputations, from the odium, that muſt remain to all poſterity on the names of thoſe, who in any wiſe promote the acts now carrying on in America; and feeling the moſt poignant grief, as well on account of the injured inhabitants of that country, as on that of our own brave countrymen, ſent on the unnatural errand of killing their fellow-ſubjects: "Reſolved, That it is the duty of every good citizen to "exert his utmoſt abilities to allay the unhappy diſputes, that at preſent diſturb the Britiſh empire." "Reſolved, That whoever would refuſe his conſent to a dutiful petition to the king, tending to "undeceive his majeſty, and by which it could be hoped that the effuſion of one drop of ſubject-"blood might be prevented, is not a friend to the Britiſh conſtitution."

try,

try, however admired by ſome, evidently bore no reſemblance to the original. The fiſcal reſources, and financial ſtate of a country's credit, ever weigh heavy in the ſcale of national proſperity. The expences of the two preceding years ending at Lady-Day, 1775, exceeded the revenue by 247,797*l.* 0*s.* 10½*d.* The national debt then amounted to 931,690*l.* 1*s.* 9½*d.* and the penſions for the ſame time to 158,685*l.* 4*s.* 8½*d.* Parliament had again recourſe to the ill-judged plan of raiſing 175,000*l.* by another tontine, although they had already felt the inconveniency and diſadvantage of that mode of borrowing. The greateſt part of the ſubſcriptions to the firſt tontine had been made out of the nation, ſo that not only the expence of agency was incurred for the payment of the annuities in London, but the amount of thoſe annuities being remitted out of the kingdom became an additional drain to its ſpecie, and conſequently an increaſe of the evil ariſing from abſentees.

The firſt octennial parliament had ſcarcely lived four years, when the Britiſh cabinet found it expedient, that it ſhould be diſſolved. This parliament had during the laſt ſeſſion in two inſtances oppoſed their mandates, and when ſummoned to attend the Houſe of Peers, the commons through their ſpeaker made a juſt but ungracious and ineffectual repreſentation of the ſtate of the nation. Theſe ſymptoms of independency alarmed government, and created a diffidence in the ſteadineſs of thoſe, who had enliſted under their banners. They looked to more ſteady ſubmiſſion in a future parliament, and diſſolved the preſent. Mr. Pery was re-elected ſpeaker by a majority of 141 to 98. The lord lieutenant did not meet the new parliament, which was convened in June, 1776, *pro forma*, and by ſeveral prorogations went over to the 14th of October, 1777.

It has been already mentioned, that in the ſeſſion of 1775 a meſſage from his majeſty had been ſent to the commons, requiring the uſe of 4000 men out of the army of Ireland for foreign ſervice, and propoſing to replace them by foreign Proteſtant troops, without any expence to that country. The firſt part of the propoſal was complied with, but the acceptance of foreign troops refuſed. The engagement for the diſpoſal of the public money, included in the foregoing meſſage, without the conſent or knowledge of the Britiſh Houſe of Commons, rendered this ſubject a matter of diſcuſſion in that body. On the 15th of February, 1776, Mr. Thomas Townſhend (afterwards Lord Sydney), there introduced it as a breach of the privileges of that houſe, and ſtated his complaint in the following words: "That the Earl of

" Harcourt, lord lieutenant general and general governor of Ireland, did, " on the 23d of November laſt, in breach of the privileges, and in derogation " of the honor and authority of that houſe, ſend a written meſſage to the " Houſe of Commons of the parliament of Ireland, ſigned with his own " hand, to the following effect;" having then recited the meſſage, he moved that a committee be appointed to enquire into the matter of the ſaid complaint, and to report the ſame, as it ſhould appear to them, to the houſe. This gentleman ſupported his motion with great ability, and was equally well ſupported by his friends. They maintained, that the privileges of the houſe, though applied to themſelves individually, or collectively in a more refined ſenſe, were the indubitable right of all the commons of England, who had one general intereſt in them. That though each of theſe were an object of conſideration, they all ſunk to a very inferior degree of importance, when at all placed in oppoſition to, or compared with that ineſtimable privilege, the power of granting money, of holding the purſe of their conſtituents, and of guarding it from the hands of violence, art, or fraud. This was a truſt of the firſt magnitude, which, in fact, included every other; for while that was preſerved inviolate, the crown would remain under the conſtitutional control of parliament; but whenever that was wreſted by open force, defeated by indirect means, or done away by fraud, the liberties and privileges of the people would be for ever annihilated. They pointed out the wiſe, commendable, and well-founded jealouſy ſhewn by the commons, when at any time, even the other houſe had interfered in the ſmalleſt degree with that great privilege; but that when any attempts of this ſort were made by the crown, or its miniſterial agents, they immediately caught the alarm; and however they were before divided, had, at all times, uniformly united, as if actuated by one ſoul, in reſiſting the ſmalleſt encroachment upon their power of granting or refuſing their own money and that of their conſtituents. They ſaid, that the meſſage in queſtion preſented facts, and contained matters of the moſt ſuſpicious and alarming nature. That if the conditions it held out had been accepted, the parliament of England would have been pledged to that of Ireland for the payment of 8000 men, only to have the uſe of 4000; ſo that Ireland was to be bribed into an acceptance of this inſidious bargain, by retaining her uſual eſtabliſhment as to number, while ſhe was to be eaſed of one third of the burthen. That ſuch a propoſition could only have originated from the worſt deſigns, as the abſurdity, they ſaid, was too glaring to be charged

charged to any degree of folly. But that the nature of the bargain was a matter of little conſequence, when put in competition with that double violation of the conſtitution, that daring temerity, of engaging for the payment of ſums of money, and venturing to propoſe the introduction of foreign forces, without the conſent of parliament. Some gentlemen went as far as to ſay, that no doubt could be entertained of the deſigns, from whence theſe propoſitions originated. One was an experiment on the Iriſh parliament, to try if it could be induced to conſent to the reception of foreign troops, thereby to eſtabliſh a precedent, which might be afterwards applied to other purpoſes. The other had alſo its fixed object: it was a ſcheme, they ſaid, however deep, formed on very ſimple principles, and went directly to veſt in the crown a virtual power of taxing, as opportunity might ſerve, both Great Britain and Ireland. In Ireland, the miniſter was to be taught to aſk ſome favor; then England was to be pledged. In England again, when ſuch circumſtances occurred, as rendered the attempt impracticable, Ireland was to be taxed, to maintain the ſupremacy of the Britiſh legiſlature. In the mean time, it prepared the minds of the people, and habituated them to ſuch notions, as would by degrees be the means of reducing the parliament of each to be the mere inſtrumental agents of the crown, without the leaſt degree of will or independency whatever. Adminiſtration ſeemed in an odd ſituation upon this attack. The matter was ſerious; the offer of introducing foreign troops without the previous conſent of parliament, indeed to introduce them at all as a permanent part of our eſtabliſhment, could not be a matter of indifference to the conſtitution and ſafety of this kingdom. On this occaſion, no ſmall marks of the want of concert and ſyſtem appeared in the grounds, upon which this meaſure was explained and defended in the debate. The miniſter diſavowed thoſe ſpecific inſtructions, upon which it was ſuppoſed the meſſage muſt have been founded; but acknowledged his general co-operation, in matters relative to the government of Ireland. Both he, and another lord, then lately come into adminiſtration, diſclaimed all reſponſibility whatever, for the conduct of his majeſty's ſervants in that kingdom. They ſaid in general or ſeparately, that the viceroy might have miſtaken, or exceeded his inſtructions; that he might not have conveyed his meaning in the cleareſt terms; but that there was no relation between the Britiſh miniſtry and the king's ſervants in that country, which rendered the former in any degree accountable for theſe matters, and conſequently they could not be affected

by any cenſure grounded upon them. Some of the gentlemen in oppoſition conſidered the buſineſs as of ſomewhat a leſs dangerous nature, from the ſchemes not being carried into execution. They held, that the ſpirit and magnanimity of Ireland, in rejecting the foreign troops, and in refuſing to accept the offer for leſſening her own burthen by throwing a part of it upon Great Britain, had already obviated the miſchievous tendency of that meaſure; ſo that the only object of cenſure now remaining, was the evil intention from which it originated. They alſo held, that the whole weight of the cenſure would fall upon the lord lieutenant, who was merely miniſterial in the buſineſs, while thoſe who were really culpable would not only paſs untouched, but very poſſibly, from ſome crooked motive of policy, might rejoice in the ill-placed effect. After very conſiderable debates, the queſtion being put, near twelve at night, the motion for a committee was rejected upon a diviſion, by a majority of 224 to 106. A motion was then made for laying the votes of the Iriſh commons, of ſome ſpecified dates, and relative to this buſineſs, before the houſe, which paſſed in the negative without a diviſion. This was ſucceeded by the following motion, "That it is highly derogatory to "the honor, and a violent breach of the privileges of this houſe, and a dan-"gerous infringement of the conſtitution, for any perſon whatever to pre-"ſume to pledge his majeſty's royal word to the houſe of the parliament of "Ireland: that any part of the troops upon the eſtabliſhment of that king-"dom ſhall, upon being ſent out of that kingdom, become a charge upon "Great Britain, without the conſent of this houſe, or for any perſon to "preſume to offer to the Houſe of Commons of the parliament of Ireland, "without the conſent of this houſe, that ſuch national troops, ſo ſent out "of Ireland, ſhall be replaced by foreign troops, at the expence of Great "Britain." The motion for this reſolution was loſt, by putting the previous queſtion, without a diviſion.*

The Britiſh cabinet was little ſatisfied with the adminiſtration of Lord Harcourt: the eaſy and delicate turn of his mind ill qualified him to ſupport, much leſs to improve upon the ſyſtem of his predeceſſor: but by which alone, to the infamy and misfortune of Ireland, the legiſlators of that kingdom were to be kept ſteady in their ranks to the *fiat* of the caſtle. Although govern-

* The violence of party ſpirit will often render it difficult for the hiſtorian to extract the impartial ſpirit of a debate: to avoid therefore any imputation of partiality or bias, the candid reader is referred to the whole debate on this ſubject in the Appendix, No. LXIV.

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ment upon the whole ſtill retained a conſiderable majority, yet ſeveral of their adherents had occaſionally, during the laſt ſeſſion, proved recreant from their inſtructions; ſome had deſerted their ranks, many amongſt them wavered, menaced, and complained of the terms of their engagements. It was therefore reſolved to invigorate the new ſyſtem by the election of a new parliament. For this purpoſe an unuſual, and till that time unprecedented, number of promotions in the peerage took place in one day*. Many other engines were in the mean time put in motion for the ſame purpoſe. Shortly before this general promotion took place, Mr. Sawbridge, then lord mayor of London, moved in the Britiſh Houſe of Commons,† that his majeſty's colonies in America be continued upon the ſame footing of giving and granting their money, as his majeſty's ſubjects in Ireland were, by their own repreſentatives: on which occaſion, the Honorable Temple Luttrell,‡ obſerved, that ſuch eſteem had he for the right honorable magiſtrate's diſpoſition and talents, that if he were to form a conſtitution for the colonies to ſatisfy his own mind, he would have their intereſts and happineſs better provided for, than by giving them a conſtitution on the model of that of Ireland. A people ſo wretched, ſo oppreſſed were ſcarcely to be found in any civilized part of the globe.§ Too many and too crying were the proofs of the national calamity and

* It far exceeded the famous promotion of twelve in the days of Queen Ann. Five viſcounts were advanced to Earldoms, ſeven barons to be viſcounts, and eighteen new barons were created in the ſame day. The uſual terms of ſuch modern peerages are well underſtood to be an engagement to ſupport the cauſe of their promoters by their individual votes in the Houſe of Peers, and by thoſe of their ſubſtitutes in the Houſe of Commons, whoſe ſeats are uſually ſettled and arranged before they vacate them upon their promotions.

† Viz. on the 10th of May, 1776. ‡ 3 Parliamentary Debates, p. 392.

§ Then with alluſion to the intended creation of Baron Macdonald he obſerved: "nor could a "more ſubſtantial injury, or a more humiliating inſult be offered by a paramount nation to one of "its dependencies, than what Ireland would experience at the hands of a Britiſh miniſtry within "forty eight hours, if his information proved authentic. An Engliſh miniſter had abuſed the con"fidence of his royal maſter ſo far, as to prevail with him, in his character of king of Ireland, to "create hereditary legiſlators for that iſland from the clans of the mountains of Scotland. Men, "who in their private characters, he believed to be not only irreproachable but amiable and praiſe"worthy, of authority and high deſcent amidſt their own thaneſhips, yet whoſe public pretenſions "in the year 1715 and 1745 (for he never heard of any other) now conſtrued loyalty, were ſtill in "the eye of our conſtitution, acts of infamy and rebellion. He ſhould be told, perhaps, that this "power was a part of the rightful prerogative of the crown; an idea, to which he could never ſub-

"ſcribe,

and diſtreſs of the Iriſh, to place this ſaying of Mr. Temple Luttrell to the account of declamation or the heat of party.

The Engliſh miniſters became daily more embarraſſed and perplexed by the encreaſing difficulties of carrying on the American war, which hourly became more unpopular at home, and leſs ſucceſsful abroad. The analogy of the caſes of America and Ireland neceſſarily drew their attention to this latter country, and forced them to ſmooth the way for a new viceroy, implicitly devoted to their whole ſyſtem. Lord Buckinghamſhire went over the ſworn ſervant of the Britiſh cabinet; and leſt there ſhould be a knot in the thread of ſubſerviency, he took over his attorney, Mr. Heron, for his ſecretary. The critical, alarming, and embarraſſed ſituation of Ireland at that juncture certainly called for a larger ſhare of political knowledge, experience, and addreſs, than either that lord lieutenant or his ſecretary carried over. And we muſt not diſſemble, that a modeſt conſciouſneſs of his own inadequacy to fill the arduous ſituation appeared in his ſpeech to the new parliament in October, 1777.* "His majeſty," ſaid he, "has been graciouſly pleaſed to honor "me with a moſt diſtinguiſhed mark of his confidence in appointing me to "the government of Ireland; with eaſe he might have found an abler mi-"niſter, with difficulty one more anxiouſly ſolicitous to juſtify his choice in "meriting your approbation. Influenced by that benovolent ſpirit, which

"ſcribe, while he remembered the wiſe and ſterling definition of prerogative given us by Mr. "Locke, who ſays, "'tis a diſcretionary power of acting for the public good, where the poſitive "laws are ſilent; if that diſcretionary power be abuſed to the public detriment, ſuch prerogative is "exerted in an unconſtitutional manner." Was this acting for the public good? To beſtow thoſe "privileges and pre-eminencies, which are attached to a peerage of a kingdom, on perſons whoſe "names and families are utterly unknown to the natives of ſuch kingdom, and without any ties of "property, of local ſervices or affection? Barons whoſe blood has been tainted by an open violation "of the laws of their own country, are, in preference to the beſt gentlemen of Ireland, ſent over to "poſſeſs the moſt honorable ſeats in the ſenate, to enact public ſtatutes, and judge upon perſonal "inheritances in the dernier reſort." Mr. Rigby, who had adviſed the right honorable magiſtrate to define the conſtitution of Ireland, before he propoſed it to be adopted by the coloniſts: remarked, that with reſpect to the Scotch peers, the mountaineer lords, as they were called, he believed the creation would do no harm, if it did no good: what good it would do them, was beſt known to themſelves: but he muſt obſerve, that the caſe was not without more precedents than one. It muſt be admitted, that the defence of Mr. Rigby, as the organ of government, againſt the charge of depreciating the Iriſh peerage, by laviſhing it on perſons no way connected with or intereſted in the welfare of that kingdom, was not very ſatisfactory at leaſt to the Iriſh.

* 9 Com. Journ. p. 309.

"may

" may juſtly command the affections of all his ſubjects, his inſtructions to " me are to co-operate with his parliament in every meaſure, which can pro- " mote the improvement, inſure the happineſs, and cheriſh the true intereſts " of this kingdom. I decline making any profeſſions relative to my future " conduct; it is by the tenor of my actions, that the character of my admi- " niſtration muſt be determined."

When the commons addreſſed to his excellency their thanks for his ſpeech, they very ſignificantly aſſured him, that they founded their hopes of his adminiſtration upon better omens, than thoſe of mere aſſurances, and they were happy in having a chief governor, who choſe rather to reſt his character upon his conduct than his profeſſions. Certain it is, that when Lord Buckinghamſhire aſſumed the reigns of government, he found the country in a moſt deplorable ſtate of calamity and diſtreſs.* In Dublin, numbers of wretched manufac-

* Stronger proofs cannot be adduced of national diſtreſs than the petitions of certain bodies of men, who were fallen from opulence and proſperity into the common calamity. Thus a petition was preſented to the Houſe of Commons, from the merchants and traders of Cork, ſetting forth that about the month of November, 1770, an embargo was laid on all ſhips laden with proviſions, and bound from that kingdom to foreign countries, which was ſtill continued by government, and had been very ſtrictly enforced: that in conſequence of that long embargo, an extenſive beneficial trade, carried on for ſeveral years by that kingdom to France, Spain, Portugal, and Holland, for the ſupply of proviſions, had been not only interrupted, but was in danger of being entirely loſt; the petitioners being informed, that the merchants of theſe countries were reſpectively, ſtocked and provided from Ruſſia, Sweden, Denmark, and Hamburgh, whereby the uſual returns to that kingdom were diſcontinued, new enemies to our commerce were raiſed, and our commodities rendered uſeleſs and unprofitable. That great quantities of ſalt beef, not fit for the uſe of government or the ſugar colonies, being made up in that city, and alſo great quantities of beef and butter being annually brought to that market, theſe commodities of a periſhable nature were there decaying for want of a free export, to the great injury of the proprietors in particular, and of the kingdom in general. That in ſupport of theſe aſſertions, there then remained on hand, ſince the preceding year, a very conſiderable quantity of proviſions, the property of ſeveral merchants in that city, not wanted by government, and therefore without opportunity of ſale; and although a conſiderable part of the ſeaſon, in which thoſe articles were made up and exported, had already elapſed, no demand whatſoever then exiſted for them, except for ſuch quantities as were required by government alone. That his majeſty's revenue, which before had received large and conſtant ſupplies from the Cuſtoms of the city of Cork, had decreaſed in proportion to the decay of their trade. That the embargo, therefore, at that time not being warranted by any great ſubſtantial neceſſity, but on the contrary, reſtraining and preventing the diffuſion of trade, was pregnant with the moſt ruinous conſequences, not only to

manufacturers had been reduced to extreme indigence, and would have abſolutely periſhed, had they not been ſupported by public charity: nor was government able to make grants, either to promote induſtry, or to relieve the national calamities. Every branch of the revenue failed, and ſuch was the

to the commercial, but alſo to the landed intereſts of that nation; and therefore the petitioners prayed redreſs.

The manufacturers in Dublin alſo petitioned parliament that ſeſſion, ſtating, that being made acquainted with the extreme diſtreſs of the working manufacturers and their families, conſequent to the want of employment, had for ſome time paſt aſſociated themſelves, in order to adviſe and adminiſter the moſt effectual relief in their power; that, aided by the liberal benefactions of many others, they had daily ſupplied the craving neceſſities of above twenty thouſand perſons, numbers of whom muſt elſe have actually periſhed for want of food. That the petitioners, well aware how much more deſirable it was in every reſpect, to enable the poor to earn their own livelihood, than to ſupport them in idleneſs, early directed their attention to that important object, and reſolved to apply as much of the fund, which the public liberality had ſupplied, as could be ſpared from the immediate relief of preſent urgent neceſſity, to the purpoſe of bounties on manufactures purchaſed by wholeſale buyers within a ſhort time, hoping that meaſure might have created a uſeful demand; but they preſently found the cauſe of the diſtreſs to be of too great a magnitude to be affected by their feeble efforts. From the beſt information that had been obtained, and the moſt probable calculations that could be formed, the petitioners had reaſon to believe that there were manufactures in Dublin of wool, worſted, ſilk, linen, and cotton, to the amount of at leaſt 300,000*l.* lying on the hands of makers, for which there was not any demand, the ſhopkeepers and retailers being already loaded with very heavy ſtocks; whereas at that ſeaſon of the year the uſual demand for moſt of theſe manufactures had been ſo great as entirely to take off the goods from the makers. The petitioners, therefore, begged leave to obſerve, that ſuch unhappy circumſtances utterly incapacitated the manufacturers from proceeding in their reſpective branches of buſineſs, and giving employment to the poor. That it would be an indignity to the wiſdom and humanity of the houſe, for the petitioners to attempt to expatiate on the importance and neceſſity of furniſhing employment to the lower orders of the people, or on the preſent affecting miſeries of the poor of the city of Dublin; and it would as ill become them to preſume to point out modes of relief. That it was only for the petitioners to bring that great ſubject to the view of the houſe, to ſtate the facts, which had come to their knowledge, and when required to ſupport them by evidence; having a moſt perfect confidence, that ſuch relief as ſhould appear neceſſary and adequate, would not be leſs freely granted than it was earneſtly wiſhed and prayed for by the petitioners. Another petition was alſo preſented from the manufacturers of ſilk, wool, linen, and cotton, in the city of Dublin and liberties adjoining; ſetting forth, that the petitioners from want of trade, were overloaded with goods for which there was no demand, amounting to upwards of 300,000*l.* That having worked up their capitals and credit, and finding no ſale for their goods, they had been under the painful neceſſity of diſcontinuing employment to the working people, whereby they and their families, to the number of many thouſands, were reduced to extreme poverty.

poverty

poverty of the nation, that the militia law could not be carried into effect. Ireland could not pay her forces abroad, and was obliged to borrow money from England to pay thoſe at home. The parliament was neceſſitated to raiſe money at an exorbitant intereſt; the expences in 1777 having amounted to above 80,000*l.* more than the revenue: 166,000*l.* were therefore borrowed, and attempted to be raiſed in the old manner upon debentures at 4*l.* per cent.

So truly deſperate was the financial ſtate of Ireland, that like deſponding bankrupts, the commons undertook to grant, what they knew they had not the means of paying. Even the miniſterial party could not be blind to their ſituation. They would not however permit any queſtion to be brought forward upon the ſtate of the country in the commons, leſt too ſtrong reſolutions upon it ſhould be carried, or their oppoſition to them ſhould appear even too rank for their own ſyſtem. They accordingly had again recourſe to the half meaſure of conveying their imperfect ſenſe of the diſtreſsful ſtate of the country through their ſpeaker, who in preſenting the firſt four money bills paſſed in that ſeſſions addreſſed himſelf to the lord lieutenant in the following manner:

"MAY IT PLEASE YOUR EXCELLENCY,

"The ſame principle of duty, which directed the pro-
"ceedings of the laſt parliament, has eminently diſtinguiſhed the preſent in
"this their firſt ſeſſion of buſineſs, a certain proof, that it is not confined to
"any claſs of men, but actuates the whole maſs of the people in this king-
"dom. The commons, however diſappointed in their hopes, that the large
"ſums, which had been raiſed to diſcharge debts ſucceſſively incurred, and
"the great addition of taxes, which had been impoſed to prevent any future
"deficiency, would have proved effectual for thoſe purpoſes, have now made
"proviſion for a new arrear of 166,000*l.* which they could not accompliſh
"without a new loan; to pay the intereſt of which, they have been obliged
"to engage the ſcanty remnant of the former loan duties, the only fund now
"left; in this they have conſulted more the honor of his majeſty's govern-
"ment than the ability of the nation. But, however diſcouraging the pre-
"ſent ſtate of affairs may be to them, it will afford your excellency a fa-
"vorable occaſion, which they doubt not you will improve, of doing a ſignal
"ſervice to this country, by laying before his majeſty the difficulty, under
"which it labours, and by explaining the neceſſity either of limiting the ex-

" pence, or of extending the trade of this kingdom. They place unbounded " confidence in his majeſty's wiſdom, juſtice, and paternal care of all his " ſubjects, and they rely on your excellency's candour and humanity to " make a faithful repreſentation to his majeſty of their unſhaken loyalty, " duty, and affection."

Although the Houſe of Commons had through the organ of their ſpeaker conveyed theſe ſentiments to the lord lieutenant, which it ſhould ſeem ought to have committed them to follow up the ſpirit of them with effect; yet in the diviſion, which took place on the 6th of February, 1778, of 143 againſt 66, we read the melancholy perverſity of a ſyſtem, which binds the members to vote againſt, what on any other occaſion than that of a diviſion of their houſe, they individually and collectively admit and approve of. Thus were the approved principles, ſpirit, and ſubſtance of their ſpeaker's addreſs to the lord lieutenant, when carried into detail and practice, rejected by the very perſons, who were ſuppoſed to have ſpoken through the mouth of the approver. The patriots however, although ſenſible, that no motion from their ſide of the houſe would ever be adopted by the majority, who in Lord Clare's phraſe were kept ſteady in their ranks, yet they reſolved, that their zealous, though ineffectual exertions to heal the wounds of their expiring country ſhould be handed down to poſterity, whoſe impartial judgment no intereſt would ſway. After the ſpeech of the lord lieutenant to both houſes of parliament had been read by order, a motion was made, and the queſtion put (though afterwards negatived by a majority of 77), " *That an humble addreſs be preſented to his majeſty, humbly to lay ourſelves at his majeſty's feet, to aſſure him of our unſhaken affection to his perſon and government, to lay before him the ſtate of this nation, declaring our readineſs and zeal to ſupport, in the moſt honourable manner, the neceſſary expences of his government, and the dignity of his crown; that, however in the preſent ſeſſion of parliament we have granted the ſupplies which were aſked for the ſupport of the preſent eſtabliſhments, yet we ſhould deceive his majeſty if we ſuffered him from thence to conceive, that the expence of thoſe eſtabliſhments could meet with the continued ſupport, or entire approbation of his faithful commons. That the expences of his majeſty's government have ſo increaſed in the courſe of twenty years, that the charge of the civil liſt alone

* 9 Com. Journ. p. 406.

has

has nearly doubled in that period. That one of the many cauſes of that increaſe is the rapid and aſtoniſhing growth of the penſion liſt, now more than ever an object of univerſal complaint; a liſt, which does now greatly exceed the expences of all other charges of the civil liſt, even in its preſent ſtate, and does conſiderably exceed the whole civil liſt at Lady-day, 1757, and is nearly double the charge of the penſion liſt at that period, when it was ſo extravagant, that the commons, ſenſible of its weight, entered unanimouſly into the following reſolution, which, with many others againſt it, were laid before his late majeſty:

"*Reſolved*, That the granting of ſo much of the public revenue in pen-
"ſions, is an improvident diſpoſition of the revenue, an injury to the crown,
"and detrimental to the public." That this increaſe in the penſion liſt is more ſeverely felt by his majeſty's ſubjects, when they conſider that its preſent extravagance does not appear to have any foundation or excuſe in the public ſervice, or private want of thoſe, who principally compoſe it; and his majeſty's faithful ſubjects have reaſon to believe, that in a liſt ſo greatly augmented in favour of ſuch perſons, and in times of accumulating debt, the real names of ſome of thoſe penſioners, and the merits of more, have not been truly laid before him. That another cauſe of this increaſe is, a number of new, great, and additional ſalaries in the nature of penſions, annexed to leſſer offices, moſtly ſinecures, or of ſo inſignificant a truſt, that the frugality of former times allotted to them ſmall ſalaries. That another cauſe is the creation of new employments, or the annexing great ſalaries to old offices, that became obſolete, becauſe they were uſeleſs. That offices ſo created, or revived, or endowed with great additional ſalaries, are become a heavy charge upon his majeſty's faithful ſubjects, unneceſſary to the dignity of his crown, and under a prince of leſs virtue, dangerous to the conſtitution.—That his majeſty's predeceſſors were graciouſly pleaſed to confine military contingencies and *concordatum* to certain bounds; but in the laſt two years, during a conſiderable part of which time a great proportion of the army was not on the eſtabliſhment, the exceedings on military contingencies were greater by far than in the two former years, and greater than ever was known in Ireland, of which unexampled exceſs, a very conſiderable part does not appear to be expended for military purpoſes, but is an inferior penſion liſt, applied to the uſe of perſons, many of whom, from their occupation or ſex, cannot be comprehended within the meaning of a military contingency.

That the charge for exceedings on *concordatum*, like that of military contingencies, has greatly exceeded its limit, and in its exceſs and application is a grievance. That the original eſtabliſhment was 10,000*l.* that the exceeding of Lady-day, 1777, was above 50,000*l.* an exceeding greater than ever was known before, part of which was for ſecret ſervice, an expence ſuſpicious from its nature, and alarming from its growth. That the exceedings on military contingencies and *concordatum* are the more an object of our jealouſy, as we preſume they are the more unbounded, becauſe they do not come under the previous inſpection of his majeſty, and to this we attribute the abuſes which have prevailed in both, and the application of great ſums of public money to purpoſes, which do not ſeem to belong to ſaid eſtabliſhments, or to any branch of the expence of government.

That in 1773, his majeſty's faithful commons did grant ſeveral new duties; that they were induced to ſuch grant by a reliance then had on the faith of his majeſty's miniſters, plighted by the moſt ſolemn aſſurances publicly made to his commons, that the then expences of government ſhould be greatly retrenched, ſo that the new grants of the people, and the ſtipulated retrenchment by the miniſtry, ſhould unite to eſtabliſh a ſyſtem of equalization, and put an end to the ruinous practice of running in debt. That his majeſty's faithful commons have performed their part of the engagement, by raiſing the revenue; but that the expences of this government, inſtead of being diminiſhed, have been beyond example increaſed, inſomuch, that the commons did, in this ſeſſion of parliament, come unanimouſly to the following reſolutions: "*Reſolved*, That the nett produce of the unappropriated revenue for the two years ending at Lady-day, 1777, as ſtated in the accomptant-general's paper, No. 5, including occaſional payments, exceeded the produce of the ſaid revenue for the two years, ending at Lady-day, 1775, in the ſum of 214,297*l.* 5*s.* 11$\frac{1}{3}$*d.*" "*Reſolved*, That the charge of the military eſtabliſhment from Lady-day, 1775, to Lady-day, 1777, was leſs than the charge of that eſtabliſhment in the two former years, in the ſum of 98,240*l.* 16*s.* 4$\frac{3}{4}$*d.*" "*Reſolved*, That it appears from the accomptant-general's paper, No. 3, that the total amount of public charges, excluſive of appropriated funds, and deducting the charge on account of Duncannon Fort, for the two years ending Lady-day, 1777, was 1,629,073*l.* 5*s.* 2$\frac{1}{2}$*d.* and exceeded the produce of the revenue applicable thereto, in the ſum of 82,130*l.* 19*s.* 1*d.*" "that it appears, that the higheſt revenue ever known in this

this country does not equal the expences of government, even when a great proportion of the army is not on the eſtabliſhment. That the bounty of his majeſty's commons has had little effect, other than to encourage new and unneceſſary expences, whereby his faithful commons are ſubject to a ſtill accumulating debt; and likewiſe to thoſe taxes granted for the ſole purpoſe of putting an end to ſo ruinous a practice. That as the expences of government when the army return, will be conſiderably greater, ſo the revenue upon an average calculation, will be probably leſs than in the two laſt years: that the revenues have already gone back in the half year ending laſt September, above 100,000*l.* And accordingly his majeſty's miniſters, finding themſelves unable to ſupport the preſent charges of government, without increaſing the debt of the nation, though aided by all the new taxes, and though a great proportion of the army was not upon the eſtabliſhment, did apply for a loan of 160,000*l.* bringing down the arrear to the 29th of laſt September, a method which has not been the uſual reſort of his majeſty's miniſters, and which beſpeaks their ſenſe of the ſtate of the nation.

That, at the concluſion of the laſt war, his majeſty was graciouſly pleaſed to order the then chief governor of Ireland, to recommend to his faithful commons a diminution of the then debt, and a reduction of the then expences of government, that the debt of the nation, as reſolved, was then 521,161*l.* 16*s.* 0¼*d*; that the debt of the nation at Lady-day, 1777, was not leſs than 834,086*l.* 19*s.* 3*d.*; and the nation is likewiſe ſubject to the pay of certain life annuities, at the rate of 6*l.* per cent. for the ſum of 440,000*l.* beſides 166,000*l.* provided for by loan this ſeſſion of parliament; in all 1,440,086*l.* 19*s.* 3*d.* of which the greater part has been accumulated ſince the peace, and more particularly within theſe few years laſt paſt, notwithſtanding the new tax granted to put an end to the ruinous practice of running in debt. That the loan duties were the laſt ſeſſion of parliament increaſed; and when the loan of the preſent ſeſſion ſhall be reſorted to, will in all probability be exhauſted. That the expences, which have out-run the abilities of the people, appear the more alarming, becauſe his majeſty's faithful commons cannot be apprized what bounds are intended to be put to them. That even though we could be induced to think that ſuch expences were the objects of ſupport, not of retrenchment, yet an attempt to lay new duties upon import, export, or home conſumption, would probably depreſs the old duty, and hazard or deſtroy the weakly remains of the trade of Ireland. That we humbly hope his majeſty

jeſty will forgive us for having delayed ſo long to lay before him the real ſtate of this country, a country labouring under the ſevereſt reſtrictions in trade, and under a heavy weight of taxes, which are yet exceeded by her expence. That we have waited as far as was conſiſtent with our duty to his majeſty, or to thoſe whom we repreſent, confiding in the ſolemn and repeated aſſurances of œconomy from time to time received from his majeſty's miniſters; that at length harraſſed by a courſe of unneceſſary expence, we can no longer refrain from laying the ſtate of this nation at the foot of the throne; and without preſuming to point out any particular method of redreſs, we do moſt humbly rely upon his royal virtues, and implore his protection."

It was now currently believed, though not officially known in Ireland, that France was about to abet the cauſe of the American coloniſts; upon which, as on all occaſions, the Iriſh were prominently forward in giving proofs of their attachment, duty, and loyalty to their ſovereign. The commons therefore prepared an addreſs to his majeſty, and ſent it up to the lords for their concurrence.* But within four days from their having voted that addreſs, Mr. Secretary Heron informed the Houſe of Commons, that he had in command from his excellency to communicate to them the following meſſage:† ("BUCKINGHAMSHIRE.)

"I have his majeſty's commands to acquaint you, that his "majeſty, having been informed, by order of the French king, that a treaty

* The form of the addreſs was to the following effect: 9 Com. Journ. p. 451.

"To the King's Moſt Excellent Majeſty. The humble Addreſs of the Knights, Citizens, and "Burgeſſes in parliament aſſembled.

"MOST GRACIOUS SOVEREIGN,

"WE your majeſty's moſt dutiful and loyal ſubjects, the and "commons of Ireland, in parliament aſſembled, in the preſent critical ſituation of affairs beg "leave humbly to approach your majeſty with the moſt unfeigned aſſurances of loyalty, duty and at- "tachment to your majeſty's royal perſon and government; and to declare, that at a time when the "public tranquillity is in danger of being further diſturbed by the interpoſition of a foreign power, "we feel ourſelves called upon to take the earlieſt opportunity of expreſſing our zeal for the dig- "nity of your majeſty's crown, and our earneſt wiſhes and warmeſt regards for the proſperity of "Great Britain. We think it at this time peculiarly incumbent on us to aſſure your majeſty, that "your majeſty may rely with the greateſt confidence on the entire affection of your faithful ſub- "jects of Ireland, and depend on their co-operating chearfully with your majeſty to the utmoſt of "their ability, in aſſerting the honour of your majeſty's government, and eſtabliſhing the ſecurity "of your dominions."

† 9 Com. Journ. p. 458.

"of

" of amity and commerce has been ſigned between the court of France and " perſons employed by his majeſty's revolted ſubjects in North America, has " judged it neceſſary to direct, that a copy of the declaration delivered by " the French ambaſſador to Lord Viſcount Weymouth, be laid before the " Houſe of Commons; and at the ſame time to acquaint them, that his ma- " jeſty has thought proper, in conſequence of this offenſive communication " on the part of the court of France, to ſend orders to his ambaſſador to with- " draw from that court. That his majeſty is perſuaded that the juſtice and " good faith of his conduct towards foreign powers, and the ſincerity of his " wiſhes to preſerve the tranquillity of Europe, will be acknowledged by all " the world; and his majeſty truſts, that he ſhall not ſtand reſponſible for the " diſturbance of that tranquillity, if he ſhould find himſelf called upon to re- " ſent ſo unprovoked and ſo unjuſt an aggreſſion on the honour of his crown, " and the eſſential intereſts of his kingdoms, contrary to the moſt ſolemn " aſſurances, ſubverſive of the law of nations, and injurious to the rights of " every ſovereign power in Europe. That his majeſty, relying with the " firmeſt confidence on the zealous and affectionate ſupport of his faithful " people, is determined to be prepared to exert, if it ſhall become neceſſary, all " the force and reſources of his kingdom, which he truſts will be found ade- " quate to repel every inſult and attack, and to maintain and uphold the " power and reputation of his dominions."

After this meſſage had been read, it was ordered to be entered on the journals, and a motion was immediately made and carried, that an humble addreſs ſhould be preſented to his excellency, to requeſt that he would be pleaſed to return his majeſty their thanks for the important intelligence his majeſty had been pleaſed to communicate to them. That they had read with the utmoſt indignation and reſentment a copy of the declaration delivered by the French ambaſſador to Lord Viſcount Weymouth; and that they could not but applaud the meaſure taken by his majeſty, in conſequence of that offenſive communication on the part of the court of France, in ſending orders to his ambaſſador to withdraw from that court: that confiding in his majeſty's paternal attachment to the welfare of his people, and his ſpirited regard for the honor of his crown, they made no doubt, but he would purſue ſuch meaſures as might effectually preſerve and aſſert thoſe great objects; and, that as they were conſcious no part of his majeſty's dominions could exceed his faithful ſubjects of Ireland in the moſt loyal attachment to his perſon

and

and government, ſo were they perſuaded, that his majeſty would extend his royal care and attention to the effectual protection and defence of that kingdom; and that they entreated his excellency to aſſure his majeſty, that in ſo doing, he might rely on the moſt zealous and affectionate ſupport of that houſe, and that they would chearfully make good whatever expence ſhould be neceſſarily incurred thereby; ſincerely lamenting that their abilities were not equal to their zeal for the honor of his majeſty's crown, and the real intereſts of Great Britain. That the juſtice and good faith of his majeſty towards foreign powers were too conſpicuous, and the ſincerity of his wiſhes to preſerve the tranquillity of Europe too well known, to admit of his being reſponſible for the diſturbance of that tranquillity, if his majeſty ſhould find himſelf obliged to reſent ſo unprovoked and ſo unjuſt an aggreſſion on the honor of his crown, and the eſſential intereſts of his kingdoms. That they made no doubt but his majeſty would find abundant reſources in the ſtrength of his kingdoms, and above all, in the hearts of his people, to repel every inſult and attack, and to maintain and uphold the power and reputation of his majeſty's dominions; and that they could not but rejoice, that his majeſty's loyal ſubjects of Ireland had had an opportunity of anticipating the preſent occaſion, by unanimous and uncalled-for aſſurances of their affectionate zeal and loyalty to his majeſty's perſon and government.

Although artifice and power combined to varniſh the appearances of the political ſtate of the country, and to bolſter up a falſe credit, the deluſion did not laſt even three months.* Three hundred thouſand pounds were ordered to be

* 9 Journ. Com. p. 463. Mr. Forſter, according to order, reported from the committee of the whole houſe, to whom it was referred to take into further conſideration the meſſage from his excellency the lord lieutenant, the reſolution, which the committee had directed him to report to the houſe, which he read in his place, and after delivered in at the table, where the ſame was read, and is as follows:—"*Reſolved*, That it is the opinion of this committee, that for all and every the "ſum or ſums of money, not exceeding the ſum of 300,000*l.* to be ſubſcribed in ſhares of 100*l.* "each, that ſhall be paid by any perſon or perſons, natural-born ſubjects or foreigners, into his "majeſty's treaſury, at the inſtance of his excellency the lord lieutenant, or other chief governor "or governors of this kingdom for the time being, to be applied towards the neceſſary expences of "government, in putting and maintaining this kingdom in a ſtate of defence, upon one or more "tontine or tontines, ſcheme or ſchemes of life annuities, this houſe will make good to the perſon "or perſons ſo paying and advancing ſuch ſum or ſums reſpectively, or to any perſon lawfully au-"thorized to receive the ſame, annuities of 6*l.* by the year for every 100*l.* ſubſcribed and paid, for "and

be raiſed on the 30th of March, 1778, by a tontine at 6*l.* per cent. And ſuch was the aſſurance of government upon the propoſal of this loan, that when the patriots, upon the conviction of the inability of the country to raiſe it, moved for reducing it to 150,000*l.* the propoſed reduction was immediately negatived upon a diviſion. Such, however, was the depreſſed ſtate of public credit at that time, that on the 3d of June Mr. Secretary Heron had the mortification to communicate the following meſſage to the Houſe of Commons.

(" BUCKINGHAMSHIRE.)

" GENTLEMEN,

" IN purſuance of a reſolution of the Houſe of Commons, " entered into on the 31ſt day of March laſt, for raiſing upon a ſcheme of life " annuities, in the manner therein mentioned, a ſum not exceeding the ſum " of 300,000*l.* to be paid into his majeſty's treaſury, to be applied towards the " neceſſary expences of government, in putting and maintaining this king- " dom in a ſtate of defence, I have given ſuch directions as appeared to me " moſt proper to carry the ſame into execution: and I am ſorry to inform you, " that it is found, after the moſt diligent endeavours exerted for the pur- " poſe, that the ſum intended to be raiſed by that reſolution cannot be ob- " tained upon an intereſt of 6*l* per cent. with benefit of ſurvivorſhip. I there- " fore thought it incumbent on me, that this houſe ſhould be made acquainted " therewith, not doubting, that the commons of Ireland, attentive to the " honor of his majeſty's government, and to the ſafety of this kingdom,

" and during the lives of the perſons to be nominated by the perſons ſubſcribing and paying the " ſaid ſum or ſums reſpectively, their executors, adminiſtrators, or aſſigns, the ſaid annuities to " be made good in the ſame manner as annuities granted by an act of parliament paſſed in the ſeſ- " ſion holden on the fifteenth and ſixteenth years of his preſent majeſty, intituled, ' *An Act for* " *granting Annuities*' in the manner therein provided, to ſuch perſons as ſhall voluntarily ſubſcribe " towards the raiſing a ſum not exceeding 175,000*l.* and to be payable at ſuch place or places, and " in ſuch manner, with ſuch benefit of ſurvivorſhip upon each and every ſuch tontine or ſcheme of " life annuities, and with all and every ſuch rights, benefits and advantages, and ſubject to all and " every ſuch regulations and reſtrictions as in and by the ſaid act were granted, enacted, made, and " provided concerning the annuities in the ſaid act mentioned, the ſaid annuities upon the ſum or " ſums ſo to be advanced, to be payable half yearly in equal proportions, on ſuch days in every " year, and to commence on ſuch day or days, and the ſhares or ſubſcriptions of 100*l.* each, to be " paid at ſuch times and in ſuch proportions; and the lives for which ſuch annuities ſhall be grant- " ed, to be nominated within ſuch time or times before the 29th day of Sept. 1779, as his excel- " lency the lord lieutenant, or any other chief governor or governors of this kingdom, for the time " being, ſhall publicly declare and appoint."

" will take ſuch meaſures as ſhall be moſt prudent to carry the intention of " that ſalutary reſolution into immediate effect."

Preſſed as was the Britiſh miniſtry with the unpopular and ruinous conteſt with the American coloniſts, now backed and openly ſupported by France; loſing their influence and credit at home; and greatly embarraſſed for the ready and efficient means of raiſing the ſupplies, Lord North found it incumbent upon him to deviſe ſome public meaſures, that ſhould at leaſt ſubſtitute a ſhare of that popularity, which he was now daily loſing, and relieve theſe fiſcal difficulties, by facilitating the means of recruiting the navy and army. He was not ignorant of, though he betrayed no public alarm at the diffuſion of the American ſpirit of liberty through all ranks of people in Ireland. He alſo too well knew the national grounds of diſcontent and miſery, which ſtretched over the whole ſurface of that kingdom. It may have been uniformly remarked throughout this hiſtory, that the Iriſh have been ever profuſely grateful for every thing, that had come to them in the form of conceſſion and kindneſs; but the reluctant boon wrung out of the graſp of power by extreme diſtreſs, can never be received, or returned with fair ſenſibility. The blame of having long withholden ought not however to efface the whole merit of late or partial conceſſion. To the adminiſtration of Lord North muſt be given the ſingular and important credit of having firſt opened the door of liberality to the Iriſh Roman Catholics, in the face of a very powerful and determined oppoſition. It fell to his lot, to experience the fatal effects of former emigrations from Ireland to America: it being a fact beyond queſtion, that moſt of the early ſucceſſes in America were immediately owing to the vigorous exertions and proweſs of the Iriſh emigrants, (chiefly from the North) who bore arms in that cauſe. He accordingly adopted the wiſe policy of engaging the affections and gratitude of the Iriſh people, by alleviating in ſome degree the immediate cauſe of their foreneſs and diſcontent.

The progreſs of the American conteſt had afforded a ſtrong practical leſſon to miniſtry of the importance of national harmony at home. It was reſolved therefore in the cabinet, that ſome popular meaſure of toleration ſhould be brought forward in each parliament. But the mind of the public was not yet ſo broken in to this liberality, that the miniſter dared to ſubmit it to parliament as a government meaſure. He well knew, that the patriots in both parliaments would ſupport the propoſition, and that it would be carried by the natural and unbiaſſed majority, from the moment that the miniſter's aſſent

aſſent gave freedom of voting to all his adherents. *The Engliſh Houſe of Commons being in a committee to take into conſideration the acts of parliament relating to the Iriſh trade, the Earl of Nugent obſerved, that from a long ſeries of unſhaken loyalty the Iriſh were entitled to every encouragement which good and faithful ſubjects could deſerve, and a wiſe and grateful government could give; oppreſſive laws had hitherto been their only reward; he did not, however, mean to complain; if he did, his generous countrymen would diſavow his complaints: they then ſaw Great Britain in diſtreſs; that ſilenced their reſentment; and, forgetful of their wrongs, unſolicited they now made a tender of their lives and fortunes for the ſervice. If the narrow policy of Great Britain had not kept them low, they would have ſent over ſomething more ſubſtantial than addreſſes; their armies would arrive here for our defence. Would the parliament of Great Britain ſuffer every ſentiment of gratitude and juſtice to be inactive in their breaſts? Would they become deaf to the voice of policy? He truſted, he was ſure, they would not; and he had not a doubt but the houſe would give ample proof, that they were not void of diſcernment to ſee, nor of inclination to reward merit. He had taken a view of all the laws, which bore hard on Ireland, and, truſting to the juſtice and humanity of the houſe, he had drawn up a few reſolutions which he hoped the committee would adopt. His lordſhip then moved, that the Iriſh might be permitted to ſend on board of Britiſh veſſels, navigated according to law, to the coaſt of Africa, and our ſettlements abroad, all ſorts of Iriſh manufactures, woollen and woollen clothes excepted.† Mr. Pelham profeſſed himſelf a well wiſher to Ireland; and ſaid, that no man had a greater reſpect for that kingdom than he had; he was not, however, without his doubts, that the preſent meaſure would be highly detrimental to the manufactures of this country; the taxes in Ireland being low, and labour cheap,

* 8 Eng. Deb. p. 206. This committee ſat on the 7th of April, 1778.

† 8 Eng. Deb. p. 208. Lord Nugent then made another motion, That the Iriſh might be permitted to import all ſorts of ware and merchandize from the coaſt of Africa, and plantations abroad, indigo, tobacco, and ſugar only excepted. The word ſugar was inſerted by his lordſhip, merely to prevent an oppoſition from the Weſt India merchants; but on the motion of Lord Newhaven, it was left out, and the motion paſſed *Nem. Con.* Lord Nugent again moved, that glaſs manufactured in Ireland might be exported by the Iriſh, except into Great Britain; and that Iriſh cotton might be imported duty free into Great Britain. Theſe motions paſſed unanimouſly. Mr. Burke then moved, that Iriſh ſail cloth might be imported into this kingdom duty free. This motion likewiſe paſſed *Nem. Con.*

the Iriſh would be able to underſell us, and thereby ruin ſeveral of our trading towns.

Lord Beauchamp begged leave to ſet the honorable gentleman right. The taxes in Ireland were many and high; and, proportionably to the means of paying them, conſiderably greater than in England. Some gentlemen who had travelled into Ireland, had, from the opulence of its metropolis, and the unbounded hoſpitality of the people of faſhion, formed very unjuſt ideas of the real ſtate of the kingdom: it was reduced by oppreſſive laws to a wretched ſituation; their loyalty was, however, ſuperior to every other ſelfiſh conſideration; they ſaw nothing but our danger; and though our acts had baniſhed into foreign countries numbers of their brethren, and left them in a miſerable ſtate, ſtill they were willing to ſtrain every nerve to ſerve us in the moment of diſtreſs: a braver, more generous, and more loyal people was not to be found; he flattered himſelf, therefore, that they would be treated by the houſe according to their high deſerts.

Mr. T. Townſhend expreſſed his warm approbation of the motion; was happy to ſee the miſt of prejudice begin to diſperſe; would be happy to give the meaſure a broader bottom; though as ſtedfaſt a Proteſtant as any gentleman in the houſe, he declared he ſhould be glad to ſee ſome means adopted to grant ſuch indulgencies to the Roman Catholics of Ireland, as might attach that great body of men to the preſent government: their affections had been alienated; he wiſhed to recall them by indulgent behaviour.

Lord North, adverting to what Mr. Townſhend had ſaid, declared he would with all his heart concur in any meaſure, that could tend to anſwer ſo deſirable an end; but it was not their province; it was the province of the parliament of Ireland; the laws which were ſo ſevere againſt the Roman Catholics had originated there, and redreſs of domeſtic grievances ſhould of right originate likewiſe from them; and he was of opinion, that the Iriſh parliament would ſee where the grievance lay, and redreſs it, for there was not any where a people of more liberal ſentiments than the Iriſh. The penal laws of Ireland were the conſequences of apprehenſion, which, however groundleſs, always adopts the moſt cruel and ſevere policy. The Iriſh complained, and complained with juſtice; but it muſt be left to the candour of their own parliament to grant ſuch indulgence to the Roman Catholics as their loyalty deſerved: he requeſted the houſe would agree to that, which was in their power, and their province: to relax the trade laws would benefit the

the Iriſh, and ultimately enrich ourſelves; embarked in the ſame cauſe with us, they cannot be called our rivals in trade, but their rivals were our rivals. The exceptions of woollen cloth he would ſay nothing to; it might not, perhaps, be juſt; but it was a point given up by the Iriſh, and confirmed by an ancient compact: if it ſhould be found in the courſe of the proceedings on this buſineſs that any other exceptions were neceſſary, the houſe no doubt would make them. Upon the whole, the motion ſhould meet his hearty concurrence.

Thus did the Britiſh miniſter in the moſt public manner declare his cordial and unequivocal wiſhes, that his majeſty's Catholic ſubjects of Ireland ſhould be relieved from what he admitted they complained of with juſtice: but it was to be effected by the Iriſh parliament, in which it is lamentable to ſay, bigotry and prejudice ſtill held a ſway, long ſince baniſhed from the walls of St. Stephen's. The principle of toleration applied both to Great Britain and Ireland; but the political neceſſity of reducing that principle into action operated upon the two kingdoms in the inverſe ratio of the reſpective diſpoſitions of the two parliaments to effect it. In Great Britain ſcarcely one hundredth part of the population profeſſed the Roman Catholic religion: and that body had long enjoyed a ſort of tacit protection from the rigor of the penal laws. *Yet as Lord Aſhburton obſerved on ſeconding the motion of Sir George Savile, "the mildneſs of government had hitherto ſoftened the rigor "of the law in the practice, but it was to be conſidered, that the Roman Ca- "tholic prieſts were ſtill left at the mercy of the loweſt and baſeſt of man- "kind; for on the complaint of any informing conſtable, the magiſterial and "judicial powers were bound to enforce all the ſhameful penalties of the act." On the 14th of May, 1778, Sir George Savile moved for leave to bring in a bill for the repeal of certain penalties and diſabilities provided in an act of the 10th and 11th of William III. intituled, "An act to prevent the further "growth of popery." In propoſing this repeal, the honorable baronet ob-

* 8 Eng. Deb. p. 228. Speech of Mr. Dunning. Some time before this period the penal laws had been enforced againſt two prieſts, a Mr. Malony, and Mr. Talbot, the brother of the Earl of Shrewſbury. But to the humanity of the Britiſh nation it muſt be recorded, that theſe proceedings had been reſorted to by a ſolitary individual, one *Pain*, a carpenter, who having two daughters, little buſineſs, much bigotry, and more covetouſneſs, had formed the ſingular ſpeculation of acquiring 20,000*l*. apiece for his daughters fortunes by informations under the penal ſtatutes againſt the Catholics.

ſerved,

ſerved, that he meant to vindicate the honor and aſſert the principles of the Proteſtant religion, to which all perſecution was foreign and adverſe: that the penalties in queſtion were diſgraceful not only to religion, but to humanity: they were calculated to looſen all the bands of ſociety, to diſſolve all ſocial, moral, and religious obligations and duties: to poiſon the ſources of domeſtic felicity, and to annihilate every principle of honor. Such was the liberality of the houſe, that the motion was carried without a diſſentient voice. Lord Aſhburton, then Mr. *Dunning*, ſeconded the motion with his uſual ability, and Mr. *Thurlow*, the attorney general, explained and ſtrongly ſupported the bill. Lord *Beauchamp*, in expreſſing his extreme ſatisfaction at the motion, obſerved that it gave him the more pleaſure at that time, as he thought the commercial advantages, which parliament then meant to beſtow on Ireland would be of very little uſe to that country, unleſs they were accompanied by a repeal of the penal laws, which had long depreſſed three fourths of the people there; and that bill he hoped would, when paſſed, be an example to the Iriſh parliament, in whoſe power it was to give that relief to their brethren; and he was ſorry to ſay he thought, though their faith were in ſome degree pledged for the effect of ſome ſuch meaſure, nothing had yet been done for that people. They had begged to have a teſt of loyalty and obedience to the government given them: that teſt was made, and taken by a large and reſpectable number of Roman Catholics; yet nothing had been granted them in return. Nay more; when a bill had been brought into the Iriſh parliament to allow Papiſts to take building leaſes in corporate towns, that moſt reaſonable indulgence was ungenerouſly refuſed them. Something, he ſaid, might be ſuggeſted in excuſe with relation to the late diſturbances in the ſouth weſt part of Ireland; but he aſſured the houſe, that he never knew a Roman Catholic of property in that country who did not expreſs the greateſt abhorrence of thoſe violences; and he was convinced, that it was want of employment, want of induſtry, and want of reward for labour, that cauſed them; and he concluded with a declaration, that he did not think the little indulgence, which was then propoſed to be given to the Roman Catholics of this kingdom, ſhould be accompanied by any teſt, as he was ſure, that any member, who read over the act of King William (which he then held in his hand) would think that in repealing it he was not ſo much employed in conferring favours on the Catholics as in reſcuing the ſtatutes from diſgrace.

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The real policy of relaxing the penal code of the Iriſh had univerſally pervaded not only the Britiſh cabinet, but the Britiſh ſenate; not one moroſe, bigotted, or fanatical voice was heard in diſcord, to this truiſm advanced by Mr. Burke on Lord Nugent's firſt motion for a committee to conſider the trade of Ireland, *That Ireland was now the chief dependance of the Britiſh crown, and that it particularly behoved this country to admit the Iriſh nation to the privileges of Britiſh citizens.** For although a conſiderable oppoſition were afterwards made to the bill for opening the trade, the ſtrongeſt oppoſers of that meaſure admitted the neceſſity of paſſing a bill for the relief of the Roman Catholics in Ireland.† On the eleventh day after the Britiſh Houſe of Commons had given the liberal example of univerſal aſſent to Sir George Saville's motion in favor of the Roman Catholics of England, Mr. Gardiner on the 25th of May, 1778, made a motion in the Iriſh Houſe of Commons, and the queſtion being put, that leave be given to bring in heads of a bill for the relief of his majeſty's Roman Catholic ſubjects of Ireland, and that Mr. Gardiner, the Hon. Barry Barry, and Mr. Yelverton, do prepare and bring in the ſame, and it was carried in the affirmative.‡ At the ſame time the Preſbyterians of Ireland bearing in mind, that the ſacramental teſt had been impoſed upon their anceſtors by their lying by, when new ſeverities were impoſed upon their Roman Catholic brethren, came forward on this occaſion to partake of the firſt ſymptoms of tolerancy in an Iriſh parliament. In order not to be excluded from the indulgencies about to be diſpenſed to the Catholics, Sir Edward Newnham on the ſame day moved, that leave might be given to bring in heads of a bill for the relief of his majeſty's ſubjects the Proteſtant Diſſenters of that kingdom: and Sir Edward Newnham and Sir Boyle Roche were ordered to prepare and bring in the ſame. But whether from a conviction, that the relief to the Diſſenters was not of equal urgency with that propoſed to be granted to the Roman Catholics, or that the Britiſh cabinet had hitherto expreſſed no opinion or inclination in their favor, the meaſure was remitted to another ſeſſion.

* 8 Eng. Deb. p. 185. viz. 1 April, 1778.

† Thus Sir Cecil Wray, one of the moſt violent oppoſers of the extenſion of Iriſh trade ſaid, he well knew the grievances of Ireland, and lamented them; amongſt which were the Iriſh Penſion Bill—the ſinecure offices, *the Roman Catholic Bills*, the Abſentees, and various others; and aſſured the houſe he would gladly join the houſe in redreſſing them.

‡ Journ. Com. p. 475. The diviſion is not given in the Journals.

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The great object and important conſequence, which the Catholics of Ireland obtained by this bill was the legiſlative avowal contained in the preamble of it, of thoſe facts and aſſertions, which ſome few years back, it would have been conſidered little ſhort of treaſon to have advanced: namely, that the ſeverities of the act of Ann ought to be relaxed, that the Roman Catholics of Ireland were excluded from and ought to be admitted to the bleſſings of our free conſtitution, and that it would promote the proſperity and ſtrength of all his majeſty's dominions, that the Catholics ſhould be bounden to the Proteſtants by mutual intereſt and affection.* The eſtabliſhment of this principle gave them a footing to ſtand upon in every future application to the crown or parliament for a full participation of *every bleſſing of our free conſtitution.* The advantages granted by this act were, that any Roman Catholic taking and ſubſcribing the oath of allegiance and declaration preſcribed by the 13th and 14th of Geo. III. c. 35. might take, enjoy, and diſpoſe of a leaſe for 999 years certain, or determinable on the dropping of five lives, and that the lands then ſeiſed by Catholics ſhould in future be deſcendible, deviſeable, or alienable as fully, as if they were in the ſeiſin of any other ſubject of his majeſty: and that it ſhould no longer be in the power of a child to fly in the face of his parent by demanding a preſent maintenance out of the father's perſonal eſtate, or by depriving him totally of the inheritance of his real eſtate, as he before had been enabled to do by the 2d Ann, c. 6. This was a qualified admiſſion over the threſhold of property, and the more welcome to the Catholics, from their conviction, that a breach once made in that penal fortreſs, it was impoſſible it ſhould hold out much longer.†

Although

* 17 and 18 Geo. III. c. 49. An act for the relief of his majeſty's ſubjects of this kingdom profeſſing the Popiſh religion. "Whereas by an act made in this kingdom in the ſecond year of "her late majeſty Queen Ann, intituled, An Act to prevent the further Growth of Popery, and "alſo by another act made in the eighth year of her ſaid reign for explaining and amending the "ſaid act, the Roman Catholics of Ireland are made ſubject to ſeveral diſabilities and incapacities "therein particularly mentioned: and whereas from their uniform peaceable behaviour for a long "ſeries of years, it appears reaſonable and expedient to relax the ſame, and it muſt tend not only "to the cultivation and improvement of this kingdom, but to the proſperity and ſtrength of all his "majeſty's dominions, that his ſubjects of all denominations ſhould enjoy the bleſſings of our free "conſtitution, and ſhould be bound to each other by mutual intereſt and mutual affection:" &c.

† Among other warm ſupporters of this bill was Sir Hercules Langriſhe, to whom Mr. Burke thus wrote with reference to it (p. 87) "It is a thing humiliating enough, that we are doubtful

of

Although leſs were in fact granted by Mr. Gardner's bill to the Iriſh, than by Sir George Savile's bill to the Engliſh Roman Catholics, yet widely different was the progreſs of each through the houſes. The former was conteſted in every ſtage through the Iriſh Houſe of Commons: on the 5th of June, 1778, five diviſions took place upon it, though each were carried in the affirmative: and on the 15th of the ſame month three diviſions in like manner were had.* On the 16th Mr. Dillon, who took a very active part in the bill, reported progreſs from the committee, where it was warmly debated, and upon the motion for the houſe's reſolving itſelf into a committee of the whole houſe to take the ſaid heads of the bill into further conſideration, on the 18th of June the houſe divided, 56 againſt 47. Mr. Tottenham and Mr. William Handcock were prominent in their oppoſition to the bill. On the 18th the houſe in committee ſat in debate till three o'clock in the morning, and on the 19th till four o'clock in the morning upon theſe heads of a bill; and on the 20th Mr. Gardner was ordered to attend his excellency the lord lieutenant with the ſaid heads of a bill, and deſire the ſame might be tranſmitted into Great Britain in due form. Thus after the ſevereſt conteſt, with the full and unequivocal approbation of government, the general ſupport of the patriots, and the unanimous accord of the Britiſh legiſlature in a ſimilar indulgence to the Roman Catholics of England, were theſe heads of a bill carried through the Iriſh Houſe of Commons by the ſmall majority of nine. Upon the third reading of this bill in the Houſe of Lords, the contents with their proxies were 36, and the not contents were 12. On the 14th of Auguſt the lord lieutenant put an end to the ſeſſion. After having complimented both houſes upon their long and faithful attendance, he aſſured the commons, that

" of the effect of the medicines we compound. We are ſure of our poiſons. My opinion ever " was (in which I heartily agreed with thoſe, that admired the old code) that it was ſo conſtructed, " that if there was once a breach in any eſſential part of it, the ruin of the whole, or nearly of the " whole, was, at ſome time or other, a certainty. For that reaſon I honor, and ſhall for ever ho- " nor and love you, who firſt cauſed it to ſtagger, crack, and gape. Others may finiſh, the be- " ginners have the glory; and, take what part you pleaſe at this hour, (I think you will take the " beſt) your firſt ſervice will never be forgotten by a grateful country."

* 9 Com. Journ. p. 493. One of theſe was upon admitting a clauſe for repealing that part of the ſtatute of Queen Ann, which requires the ſacramental teſt as a neceſſary qualification for holding offices and places of truſt and profit under the crown. On this day alſo a petition from the mayor, ſheriffs, common council, freemen, freeholders, and other Proteſtant inhabitants of the city of Cork, was preſented againſt the bill,

their grants ſhould be faithfully applied, and that it ſhould be his endeavour, that the welfare and ſecurity of the people might amply compenſate for thoſe charges, which the exigency of public affairs had unavoidably occaſioned.* He then addreſſed himſelf to both houſes, and ſaid, he flattered himſelf that the regulations, which had taken place that ſeſſion, would prove eſſentially ſerviceable to that valuable branch of commerce, the fiſheries of Ireland. It was with pleaſure, that he ſaw an act paſſed for eſtabliſhing a militia, which by enabling his majeſty, when he ſhould think proper, to call forth that part of the national ſtrength, might materially contribute to the protection and defence of the kingdom. The law for relieving the Roman Catholics from ſome of thoſe diſabilities, under which they had hitherto laboured, would, he hoped, attain the deſirable end of promoting and eſtabliſhing good will and mutual confidence among his majeſty's ſubjects, and by rendering them more united at home, make them more formidable to their enemies abroad. He congratulated with them on the late extenſion of the trade and commerce of that kingdom; it was a circumſtance peculiarly fortunate to them, that an event which promiſed ſuch advantages to Ireland ſhould have taken place during his adminiſtration. While they juſtly enjoyed the approbation and gratitude of their country, for having promoted ſo many uſeful laws, he was perſuaded, they would not forget what was due to the paternal care of an affectionate ſovereign, and the kind diſpoſition of Great Britain towards that country; they would cultivate jointly, as in ſound policy they were inſeparable, the true intereſts of both kingdoms.

We have ſeen, that the alarming diſtreſſes of Ireland had rouſed the Britiſh Houſe of Commons to afford them ſome commercial relief. When the bills to this effect were to be read a ſecond time, ſeveral members for trading towns violently oppoſed them, and the table of the houſe of commons was covered with petitions againſt any extenſion of commercial advantages to Ireland, by which the trade of Great Britain ſhould be in any manner affected. So violent indeed were the towns of Liverpool, Mancheſter, and Glaſgow, that they menaced to be no longer loyal, if theſe bills ſhould paſs: and Lord Middleton obſerved in the debate, "that theſe towns were experienced in rebellion "ſo abundantly, that the tranſition would be an object of eaſy accompliſh-"ment, and the world would entertain little ſurprize, if they threw aſide

* 9 Journ. Com. p. 520.

"their

" their new-fangled opinion." Lord North was of opinion, that as the expectations of the Iriſh were raiſed from what the houſe had already done, it would be unwiſe to protract the buſineſs to another ſeſſion. The gentlemen, who oppoſed the bill ſeemed all to agree in one point, that ſomewhat ought to be done for their relief, though they differed about the nature and extent of what ought to be done. He ſaw no reaſon, however, why the preſent bill ſhould not paſs, ſince the houſe might, notwithſtanding, appoint a committee to enquire into the ſtate of the trade, that from their report a plan might be formed and adopted. He did not ſee the mighty difficulty, that was ſaid to exiſt, in calculating the difference neceſſarily to ariſe in the annual imports, by the effect of the bill before the houſe. It would create ſmall difference, comparatively ſpeaking, in the revenue, ſince the diminution in the imports of one place would give an additional increaſe to thoſe of another, as the difference of duty on the enumerated articles was very trifling. He held it as the duty of Britain to give Ireland a degree, at leaſt, of recompence for the exertions ſhe had made, were we not inclined by policy, to give her relief from the reſtrictions ſhe laboured under; and he hoped the houſe would agree on the preſent bill, as a teſt of their intention and inclination to befriend her in future more ſubſtantially.* Mr. Burke anſwered the arguments of the honorable gentleman who oppoſed the bill. The bills before the houſe, he ſaid, were no more than reſtorations of what the wiſdom of a Britiſh parliament had, on a former occaſion, thought proper to inveſt Ireland with. In the 12th of Charles II. the navigation bills paſſed, extending to Ireland as well as England. A kind of left-handed policy had, however, deprived her of the freedom ſhe enjoyed under that act, and ſhe had ever ſince remained under the moſt cruel, oppreſſive, and unnatural reſtriction. Deprived of every incentive to induſtry, and ſhut out from every paſſage to wealth, ſhe had inwardly lamented, but ſhe had never complained of her condition. She had gone the moſt forward lengths in ſerving the intereſt and defending the rights of Great Britain. She had aſſiſted in conqueſts, from which ſhe was to gain no advantage, and emptied her treaſury, and deſolated her land, to prove her attachment and loyalty to the government of

* In all the affairs of Ireland Mr. Burke has ever evinced the moſt accurate hiſtorical knowledge, the moſt unbiaſſed judgment, and the moſt conſtitutional ſpirit of any member in either parliament. The hiſtorian cannot therefore diſpenſe with favouring the reader with the hiſtorical views from that maſterly hand as they occur.

this country. Such had been her conduct, and her reward had been reſtriction and bondage of the moſt cruel nature. He did not mean, by deſcribing her ſituation, to engage the humanity of the houſe in her favour. The people of Ireland would not accept favours flowing from the humanity of the houſe. They called for juſtice, not for pity. They requeſted Britain to be wiſe, not to be generous; to provide for her own good, and ſecure her own intereſt; ſenſible that wiſdom and prudence would dictate, that to accompliſh theſe, a contrary conduct towards them was neceſſary. The honorable gentlemen, who oppoſed the bill, had drawn into collection the arguments and reaſons they maintained to exiſt againſt all the bills, meaning, no doubt, thereby to prejudice the houſe the more by their aggregate effect. Though he deteſted this inequitable mode of proceeding, he would not evade the combat even on that ground; nor wiſh to engage the houſe in favour of the bills, if he could not, in the fulleſt manner, anſwer every objection they had brought to every part. The honorable gentleman, who had moved the amendment, wiſhed to reconcile the people of Ireland to delay, by pledging the honor of parliament, that ſomething effectual ſhould be done in their favour next ſeſſion. He knew the temper of the Iriſh too well, to believe, that they would ſit down ſatisfied with ſuch an aſſertion.

They would conclude within themſelves, depending on experience for their guide, that the promiſe of ſomething to be done next ſeſſion, would alone produce the repetition of a promiſe for the ſeſſion following; and promiſe, repetition, and promiſe, from ſeſſion to ſeſſion, would be the only benefit they would receive. He did not conclude, that the denial of what even juſtice demanded of us in their favour, would produce rebellion and diſturbance in that country; their loyalty and zeal were ſuperior to complaints; they might deſpair, but they would not reſiſt. Other places experienced in rebellion, had determined, it ſeems, to enter or not to enter into it, according as theſe bills were determined; but Ireland regarded more the welfare of the empire at large, than the intereſt of itſelf in particular. They were patient and loyal, and therefore, he ſuppoſed, they were cruſhed; for it was the policy of the preſent day to forego the excellent and noble maxims of the Romans, *parcere ſubjectis et debellare ſuperbos*, for the infamous proverb of Britiſh growth, " proud to the humble, and humble to the proud." He then went into a particular detail of the arguments of the honorable gentlemen relating to commercial advantage. The annual revenue of the two kingdoms had

had been exultingly, but moſt inequitably drawn into compariſon, to prove that Ireland paid no proportion of tax. It was not the number of inhabitants, that conſtituted the different ſpecific in the article of taxation between two countries; but the diſtinction of internal opulence and external advantage. Compare the two countries by that line, and it will be found that Ireland is taxed in a quadruple proportion more than England. The internal wealth, and external advantage of trade and commerce, is forty times greater in England than in Ireland. There is, therefore, no *ratio* of proportion preſerved in the mode of taxing the latter. She is taxed, without enjoying the means of payment. She is debarred the uſe of ſhoes and ſtockings, and yet ſhe is made to pay for them. Reſtricted from trading, ſhe enjoys no opportunity of acquiring wealth to diſcharge the taxes impoſed upon her. Enlarge her means of payment, and in proportion to her ability enlarge her taxes. An equality of commercial advantage could not be eſtabliſhed between the two countries. The opulence of the one is a barrier inſuperable by the other. The great diſproportion of capital effectually deſtroys the poſſibility of an equality. The one can extend her mart of trade through every different channel of the univerſe; the other, reſtrained in her ability, cannot proſecute the ſame tract; and as the ability of the proceeding increaſes in the ſame proportion, in the progreſs of one as well as the other, the ſame proportion of advantage will ſtill remain. The Iriſh will be able to follow the Engliſh at equal diſtance, in every ſtage, both in the outſet and in the continuance; but they never will be able to accelerate their motion in order to overtake them. The lowneſs of labour is a nugatory argument; for until the inſtant that the price of labour is equal, the ſuperiority of manufacture will remain with the Engliſh. The price of labour riſes with the growth of manufacture, and is higheſt when the manufacture is beſt. The experience of every day tells us, that where the price of labour is higheſt, the manufacturer is able to ſell his commodity at the loweſt price. The difference of duty of the imported enumerated articles, is ſo abundantly overbalanced by the other advantages enjoyed by this country, that without it there could not be the ſmalleſt degree of competition in manufacture. Not one, however, of the enumerated articles is leſs taxed in Ireland than in England, except thoſe already permitted to her. For though the petitions on the table are moſt, if not all, tending to expreſs their fears of the conſequences of granting a free exportation of ſail cloth and iron to the Iriſh; it is a fact, that they already enjoy

joy a free exportation of theſe articles; and particularly he would remark of manufactured iron and ſteel, as he did on a ſimilar occaſion of ſail cloth, that the petition ſerved to ſhew the foundation on which they all were laid, namely, merely conjecture. They had not felt from the reality what they dreaded from the idea; for an act exiſted at this time permitting the free exportation of manufactured iron; which, however, had not been proſecuted, becauſe of the advantages enjoyed by the Engliſh. The only article imported under that act into England, was a quantity of cork ſcrews, which, though it might be an evidence of their luxury in living, was but a feeble proof of their excellence of manufacture. But, indeed, every other inſtance, as well as this, ſerved to prove how erroneouſly they had formed their opinions on the ſubject. Some years ago, when a bill was brought in for the free importation of woollen yarn into England, petitions were received from every different part of the country, complaining of the injury it would create; but now that they had experienced its effects, they felt and acknowledged its beneficial tendency. It was abſurd to think that a participation of manufacture would be detrimental to this country. Had we not ſeen the woollen manufacture planted in different parts of this country; and had we not alſo ſeen that the competitions had ſerved to advance both. He concluded with lamenting, that in one inſtance he ſhould be directed by his conſcience to take a part againſt his conſtituents. It had been his invariable aim to protect their rights and intereſts, and to act at all times as became the ſenator and repreſentative of the people. In this inſtance he had dared to act contrary to the wiſhes, but not, he was ſenſible, to the intereſts of his conſtituents.* He differed in opinion from them on the nobleſt principle, namely, from his being in the right; and if, from his conduct in this buſineſs, he ſhould be deprived of his ſeat in that honorable houſe, it would ſtand on record an example to future repreſentatives of the commons of England, that one man, at leaſt, had dared to oppoſe his conſtituents, when his judgment aſſured him they were in the wrong.

The national diſtreſſes of Ireland were too alarming to the Britiſh empire to permit the legiſlature of either country to ſleep over them. During the receſs of the Iriſh parliament, we find that of Great Britain as frequently and as earneſtly employed upon its intereſts, as if that kingdom had been within

* The Electors of Briſtol.

the

the juriſdiction of its legiſlative powers. On the 16th of December, 1778,* Lord Nugent deſcribed the inhabitants of his native country as ſuffering every ſpecies of miſery and diſtreſs human nature was capable of bearing; a people, nine-tenths of whom laboured for four-pence a day, whoſe food in ſummer was potatoes and butter milk, and in winter potatoes and water; he gave notice, that in conſequence of what paſſed the laſt ſeſſion, it was intended to propoſe to take off ſome of the reſtrictions of the trade of Ireland. He ſaid, the people of Ireland expected ſome relief: that kingdom was oppreſſed and ruined; they would emigrate to America; they would carry the woollen and linen manufactures thither; they would ſoon rival thoſe of this country: in ſhort, our reſtrictions would transfer the trade and manufactures of Ireland to America.

Among the other hardſhips ſuffered by the people in general, the landed part of them had their ſhare. There was now an uninterrupted embargo, which ſtill exiſted, on the exportation of the only ſtaple commodities they had, beef and butter; the lands were fallen one third in value; the graziers were become bankrupts, the full proof of which he experienced himſelf; for though he poſſeſſed a very conſiderable property, ſituated in different parts of that kingdom, he could pledge his honor, that he had not received a ſhilling rent for the laſt two years; and the caſe was the ſame with ſeveral noble lords and gentlemen of his acquaintance.

It might become a queſtion of a ſerious and difficult nature, what indulgence ought to be given, ſuppoſing this country were inclined to recede. He believed the general ideas, that prevailed laſt year, would be proper to be again taken up. The woollen manufacture, to be ſure, was in ſome meaſure ſacred; but, in his preſent indigeſted ideas, all he could venture to ſpecify was, a full exportation of all cotton goods, mixed and unmixed. His lordſhip threw out ſeveral other hints; ſaid that the queſtion would be, whether Ireland ſhould have a little indulgence, or the Iriſh and the manufactures of linen, woollen, &c. be transferred to America. It is true, Mancheſter might ſuffer; but a nation compoſed of a loyal, brave, though an oppreſſed people, was not to be ſacrificed to one ſingle town, or the monopoly of a particular diſtrict. He hoped, however, there would be no cauſe for rivalſhip. One thing on the whole was certain, that whatever benefited or en-

* 10 Eng. Debates, p. 176.

riched

riched Ireland, or tended to give employment to her wretched inhabitants, would be beneficially felt in this kingdom, to whom, as the center, every advantage Ireland experienced Great Britain muſt profit by.

Lord Beauchamp confirmed the greater part of the noble lord's arguments, painted the diſtreſſes of the Iriſh in lively colours, and gave the houſe to underſtand, that a general exportation, except in the articles of woollens, was expected, or meant to be procured.

Lord Newhaven ſaid, that he would move for a general exportation, woollens excepted; and an importation of ſeveral commodities enumerated in the courſe of the laſt ſeſſion.

* As ſoon as the Britiſh parliament had met after the holidays, the ſame noble earl, who was ever ſtedfaſt to the real welfare of his country, on the 19th of January, 1779, moved in the Britiſh Houſe of Commons, that an account be laid before the houſe of all exports, and their amount; of merchandize exported from this country to Ireland; and of all imports from Ireland into this kingdom, from the 1ſt of January, 1778, to the 1ſt of January, 1779; which motion was agreed to. His lordſhip explained his meaning for making this motion, by ſaying, that it was preparatory to the motion for leave to bring in a bill for granting further relief to the trade of Ireland, notice of which he had given before the holidays. He repreſented the inhabitants of Ireland as being in a famiſhing condition, and appealed to two noble lords in adminiſtration for the truth of his aſſertion; and he ſaid, that a ſecretary of the viceroy was juſt come over, expreſsly to lay before government the deplorable ſtate of Ireland: he referred to a letter he had received from Dr. Woodward, Dean of Clogher, mentioning, that all had been done, that could be effected by contribution, to relieve the ſtarving poor, but in vain; employment alone could remedy the evil. He appealed to the noble lord at the head of the treaſury for the truth of another obſervation; that the revenue of Ireland is ſo diminiſhed, that it now yields little more than the expences of its civil eſtabliſhment. Theſe facts pointed out the neceſſity, as we had loſt our trade with our American colonies, of taking care we did not loſe Ireland next, by a ſeparation or invaſion. If our impolitic reſtraints were not removed from the trade of that country, we ſhould loſe our beſt cuſtomers for many articles of merchandize. He ſaid, good eſtates in Ireland were offered to ſale at ſixteen and fourteen years purchaſe, yet no buyers appeared even at that low price.

* 19 Deb. Parl. p. 218.

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He expected to be oppoſed by thoſe, who had particular intereſts to ſupport againſt the national welfare intended by his bill; but he remembered many ſimilar oppoſitions to bills, which had, after they had paſſed, and the good effects had been experienced, been highly applauded; for inſtance, the bill for importing bar iron from America, was ſtrongly oppoſed by the parties concerned in mines and iron works at home; yet it was found that Great Britain did not produce a tenth part of the iron wanted for conſumption. He declared himſelf as warm a friend to England as any man in the houſe; and if he did not think it was promoting the intereſt of this country to grant Ireland relief to her trade, he would not move it; neither did he ever chooſe to move any thing in that houſe which he was not ſure of carrying. He concluded with a kind of prophecy, that if Ireland were not aſſiſted in her commerce, it might become a queſtion there to vote a ſum for the ſupport of that country, from the inſufficiency of its own revenue.

The eſtabliſhment of a cotton manufactory, and leave to export the manufacture to Great Britain; with leave to export and import to and from America, the Weſt-Indies, and Africa, were the points he had in contemplation; and he concluded with ſaying, if all he wiſhed could not be obtained, he muſt be ſatisfied with a part.

Colonel Stanley deſired Lord Nugent would give as long notice as poſſible of the day he ſhould bring in his bill, that his conſtituents might be early apprized of it; as not only the town of Mancheſter, but all the manufacturing towns in the country, concerned in the cotton branches, were alarmed.

Sir George Yonge intreated the noble earl not to hurry on a bill of ſuch conſequence, but wait for better information. He could not conſider the ſtate of Ireland in the melancholy light it had been deſcribed; but if the people really were famiſhing, it was not owing to the trade laws of this country, but to miſmanagement in their own internal police, and deſired that might be enquired into.

Mr. T. Townſhend reminded the houſe, that by a narrow policy America had been loſt, and bid them beware of loſing Ireland. He declared himſelf impartial, not having any property in Ireland; yet he conſidered his property in England as dependent in a great meaſure on the proſperity of Ireland; and, as a member of the community, he wiſhed to remove thoſe partial reſtraints on her trade, which certainly were the cauſe of her diſtreſſes.

* Again on the 10th of March, 1779, did the diſtreſſed ſituation of Ireland come before the Britiſh Houſe of Commons, when Lord Newhaven hoped, as a ſpirit of toleration and liberality had gone forth in the houſe, that the relief he had propoſed for Ireland, would not want for ſucceſs. His Lordſhip ſtated, that on an average of the laſt ten years, the exports from England to Ireland were decreaſed about ſix hundred thouſand pounds; and in the two laſt years they had decreaſed ſeven hundred and ſixteen thouſand pounds: that the exports from Ireland in the two laſt years had decreaſed one hundred and fifty-five thouſand pounds; on which decreaſe ſeventy-five thouſand pounds were on the ſtaple of linen; that the exports from England into Ireland, on an average of ten years, were two millions fifty-ſeven thouſand pounds; that the imports from Ireland into England were but thirteen hundred and fifty-three thouſand pounds; ſo that the balance in favour of England, on an average of ten years, was ſeven hundred and four thouſand pounds ſterling per annum, which, multiplied by the ten years, plainly ſhewed that England gained by the trade of Ireland alone ſeven millions and forty thouſand pounds in that time.

He moved that the houſe ſhould, on the 19th, reſolve itſelf into a committee, to take into conſideration the acts of parliament relating to the allowing the importation of ſugars from the Weſt-Indies into Ireland.

Governor Pownall ſaid, he was not againſt the motion for relieving Ireland; he did not object to it on that ground; but ſaid, the motion would raiſe alarms here, and do no good to Ireland; therefore he wiſhed to ſee the motion extended to ſomething that would give a real and ſubſtantial relief to Ireland, and that too upon the ground and principle of ſyſtem.

Sir George Yonge, Sir Philip Jennings Clerke, Mr. Cruger, &c. were againſt the propoſition, on the ground, that though Ireland may have ſuffered in her trade ſince the American war, yet this nation had ſuffered infinitely more; if ſhe had loſt five thouſand pounds a year, England had loſt almoſt as many millions; and, that upon the whole, to give Ireland any further indulgences, than thoſe ſhe at preſent enjoyed, might very poſſibly endanger this kingdom or the ſovereignty ſhe held over her.

Mr. T. Townſhend, Lord Nugent, Lord Beauchamp, General Conway, Mr. Welbore Ellis, &c. contended for the propriety, the expediency, and the po-

* 11 Parl. Debates, p. 108.

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licy of the motion, maintaining that it was a ſpecific ſimple propoſition, and could not be of any one diſadvantage to Great Britain; beſides, that the proſperity of Ireland was too eſſential to this country, not to give her every encouragement that could poſſibly be given.

The queſtion was then put: for it, 47---againſt it, 42.

In melancholy confirmation of the repreſentations of Ireland, ſo frequently and ſo warmly made by the Earl of Nugent, and others, on the 18th of March, 1779, Lord North communicated to the commons the following meſſage from his majeſty.*

(" GEORGE R.)

" HIS majeſty having received information from the Earl " of Buckinghamſhire, his lieutenant-general, and general governor of his " kingdom of Ireland, that the revenues of that kingdom have of late " proved greatly deficient and inadequate to the purpoſes for, which they " were granted; and his majeſty, moved with concern and compaſſion for the " diſtreſſes of his loyal and faithful ſubjects of that kingdom; and being anxi- " ous, that ſome immediate and effectual relief ſhould be afforded to them, " thinks it neceſſary to recommend to the conſideration of this houſe, whe- " ther it may not be proper, in the preſent circumſtances of Ireland, that the " whole charge of the regiments on the Iriſh eſtabliſhment, now ſerving out " of that kingdom, ſhould be paid by Great Britain. *G. R.*"

Lord North moved, that his majeſty's meſſage be referred to the conſideration of the committee of ſupply, which was agreed to: then, upon the order of the day for going into a committee on the importation of ſugars into Ireland.

Sir George Yonge objected to the ſpeaker's leaving the chair, becauſe the bill would produce conſequences no leſs fatal to this country, than the total loſs of the colony trade. There were annually, he ſaid, imported into Great Britain, 150,000 hogſheads of ſugar, valued at 3,759,000*l.* annually. The whole imports from the Weſt-Indies, were 4,500,000*l.* annually; and that the trade employed 500 ſhips, of 100,000 tons burthen, and 10,000 ſeamen. The duties ariſing from the trade were upwards of 400,000*l.* a year; and that this great ſum, he ſaid, we were daſhing away by the preſent bill: he objected to it, and therefore would vote againſt the ſpeaker's leaving the chair.

* 11 Parl. Debates, p. 177.

Mr. Sawbridge was againſt all the monopolies of trade, and commercial interdictions; he declared there was trade enough for every nation on earth, if all impolitic reſtrictions were repealed; and aſſerted, that no nation, nor corporate body, nor individual, had a right to deprive another of the benefit of manufactures, trade, and commerce.

Mr. Burke declared, that if the mover of the bill meant to modify it in any degree, he would give his vote againſt going into a committee, for he would not enter into any compoſition; it was for the intereſt of Great Britain to throw open even the woollen trade to Ireland; and if it were not done now voluntarily, the French would ſoon oblige us to do it.

General Conway and Sir Cecil Wray wiſhed for a full enquiry into the diſtreſſes of Ireland, and a mature deliberation on the means of applying general relief.

On the 26th of May Lord Beauchamp moved, that an humble addreſs be preſented to his majeſty, praying, that he would be graciouſly pleaſed to order accounts to be laid before parliament of the ſtate of the trade and commerce of Ireland.

His lordſhip prefaced his motion with a very ſenſible ſpeech on the wretched ſtate of Ireland, and the neceſſity of holding out a promiſe to the Iriſh, that the commercial laws, of which they complained, ſhould be reviſed by parliament, and ſuch redreſs granted to them as Great Britain was able to beſtow.

Lord North declared he would promote every poſſible enquiry, and obtain all the information in his power; but as to producing a plan for ſettling matters in a commercial line to the ſatisfaction of both countries, it was too bold an undertaking for him, ſince it was hard to ſay what would ſatisfy Ireland, and that England could grant, conſiſtent with her own intereſt. He thought the complaints of Ireland rather ill timed, as more had been done for that kingdom within theſe three or four years than for thirty years before.

Mr. Conolly was of a different opinion; he attributed the preſent diſtreſſes of Ireland to the wretched ſyſtem of government carried on by the preſent miniſtry, by whoſe means the debts of that kingdom had been increaſed from about 600,000*l.* to near a million and a half.

Mr. James Luttrell did not diſapprove of the motion, as it had firſt been made

made in the other houſe by his noble friend the Marquis of Rockingham;* but in that houſe he could not but conſider it as a kind of miniſterial compromiſe, a lame apology for doing nothing for the relief of Ireland that ſeſſion. He aſked why the parliament of Ireland had not been called together in time, to deliberate, and ſend over their ſtate of the nation to the Britiſh parliament earlier in the ſeſſion? Why had not the noble lord moved that addreſs months ago? It was then too late, and the loſs of Ireland might probably follow that of America.

Sir George Yonge deſired not to be thought inconſiſtent in voting for the addreſs, as the moſt likely method of getting at the true ſtate of the matter; but he thought the ſtate of the Iriſh revenue ſhould have been added: that was incumbent on the noble lord at the head of the treaſury; but he doubted if the Iriſh would have much hopes of a miniſtry, who had reduced landed eſtates in England from 33 to 25 years purchaſe, and funded property from 89 to 60. The addreſs was agreed to.

The warm part and intereſt, which the Britiſh ſenate took in the concerns of Ireland did credit to her liberal ſympathy for her ſiſter kingdom, and juſtified the claims, which Ireland urged. The opinions of the illuſtrious characters, which then ſtood moſt prominently forward in favor of that kingdom will be handed down to the lateſt poſterity as teſtimonies of the exemplary loyalty of the Iriſh nation under the ſevereſt trials and provocations. On the 2d of June, 1779, Lord Shelburne (now Marquis of Lanſdowne) ſtated to the Britiſh Houſe of Peers the following propoſition relative to the ſtate of Ireland:† That an humble addreſs ſhould be preſented to his majeſty, requeſting that his majeſty would be graciouſly pleaſed to order to be laid before that houſe, an account of ſuch ſteps as had been taken in conſequence of the addreſs of that houſe of the 11th of May, and of his majeſty's moſt gracious anſwer thereto; and humbly to recommend to his majeſty, if his royal prerogative, as veſted in his majeſty by the conſtitution, be not adequate to the relief of the acknowledged diſtreſſed and impoveriſhed ſtate of his majeſty's loyal and well-deſerving ſubjects of Ireland, that he would be pleaſed

* The motion of the Marquis of Rockingham, to which Mr. James Luttrell alluded, was made in the Britiſh Houſe of Peers on the 11th of May, 1779, and occaſioned the moſt intereſting debates upon the affairs of Ireland till then ever known in that houſe. It exhibits a moſt melancholy view of the ſituation of that country, and is given in the Appendix, No. LXV.

† 13 Parl. Deb. p. 387.

to

to continue the parliament of that kingdom, as then aſſembled, and give immediate orders for calling forthwith his parliament of Ireland, that their juſt complaints might be fully conſidered and remedied without delay, that the wonted union of affection might be preſerved between both kingdoms, always deſirable, but in the preſent ſituation of public affairs, abſolutely eſſential and indiſpenſable to the preſervation and welfare of both, and that the united ſtrength of Great Britain and Ireland might in due time, and with due effect, be exerciſed under the bleſſing of God againſt the common enemy.

This propoſition the noble earl prefaced with a ſpeech of great political information and unuſual energy and brilliancy. He was ſevere upon the miniſters, to whoſe account he laid the diſtreſſed ſituation of his country, and on that ground avowedly was the firſt part of the propoſition oppoſed; Lord Weymouth* "diſapproving of the propoſition, becauſe it contained an implied "cenſure on government, which they by no means deſerved." Amongſt a great variety of political topics, which the noble earl's ſpeech embraced, not immediately relevant to the ſtate of Ireland, we gather from the mouth of that great ſtateſman ſeveral moſt valuable documents illuſtrative of the hiſtory of that critical period. His financial view of that kingdom was, that in the year 1750 the public debt of Ireland was under half a million, that ſince that ſhe had contracted 1,000,000*l.* funded, and 600,000*l.* unfunded, beſides the 300,000*l.* borrowed upon public faith, for which no taxes had been yet appropriated; ſo that the whole debt amounted to full three millions in twenty years; fifteen of which contained a period of a peace eſtabliſhment, and, of courſe, a peace expenditure: but contrary to every idea of good government, and national œconomy, by much the greater part of the debt was contracted during the latter period, till at length the new taxes were unequal to the annual outgoings, and at that time the receipts at the Iriſh treaſury were ſhort to the amount of 300,000*l.* per annum.

The internal critical ſtate of the country at that moment next drew his attention, which he urged, had been groſsly overlooked by the king's miniſters, and he expreſſed his aſtoniſhment at hearing from the noble lord at the head of the council (Gower, now Marquis of Stafford) that nothing could be done for Ireland till the next ſeſſion. Situated, ſaid his lordſhip, as

* 13 Parl. Deb. p. 390.

affairs

affairs were, it would be dangerous to delay the buſineſs; that the neceſſities of Ireland called for immediate relief, and that it would be abſurdity in the extreme to let the Iriſh remain unſatisfied for ſeven or eight months longer. He conſidered the matter in a variety of different points of view, and ſaid, that leaving the whole to reſt upon a reſolution ſo vague and indeterminate as that, which had been carried in both houſes, and which, in fact, preſcribed no ſpecific line of procedure, might be conſtrained into an intention to do nothing, but a mere deſign to get over the ſummer, to ſet the war upon its legs, and then to ſuffer the diſtreſſes of Ireland to remain unattended to, and unredreſſed. When the amendment to the noble marquis's motion was firſt propoſed, he declared he was very far from having this opinion of it himſelf; on the contrary, he thought that miniſtry ſhewed rather more readineſs than became them, and ſeemed willing to do too much; he appealed to their lordſhips in whoſe memory he ſtood, whether he had not on that day been the ſingle peer to cry out, *doucement*, whether he had not ſtood up alone and ſaid, "Gently, take care what you do, don't promiſe too much, for fear you "ſhould not be able to perform all that you ſay you'll do; if your per- "formance fall ſhort of your promiſe, depend upon it you will do more miſ- "chief than good, and exaſperate Ireland more than ever." The reſolution carried on that day had already got over to Ireland, and there would certainly be two opinions upon it, the ſevere and cautious men, naturally prone to doubt, would ſay immediately, "This is nothing, this is mere fallacy, go- "vernment being afraid of us juſt now, have done this with a view to quiet "us for the preſent, and when they have at all ſurmounted the difficulties in "which their affairs are involved, they will, as uſual, turn a deaf ear to our "complaints, it being evidently their intention to give us no relief, if they "can poſſibly avoid it." Another very different opinion would doubtleſs prevail with thoſe who were inclined to think better of government and this country: they would ſay, "Stop, don't go ſo faſt, read the reſolution again; "good God! was it not carried unanimouſly in both houſes of parliament? "Did England ever do ſo much for us before? Only ſee the drift of it, ſee "the wording of it, and conſider, that the whole has been done in the moſt "kind and flattering manner poſſible." His lordſhip placed theſe two opinions in contraſt, and appealed to the houſe, whether in common policy and prudence it would not be right to encourage and ſupport the latter, and give as little room as poſſible to warrant and countenance the former? What

would

would prove moſt faithful to this, he declared, was the language of a noble lord in another place. The premier had ſaid, that no individual could form a plan for the relief of Ireland; that it was out of his power; that next ſeſſion the proper accounts ſhould be laid before both the Engliſh and Iriſh parliaments, and the buſineſs muſt be done by them; but that he did not think the complaints of Ireland well timed, for that this country had done more for her within the laſt three years than had been done for her nine years before. His lordſhip ſaid he had turned this language again and again in his mind, and he was yet at a loſs to divine the meaning of the noble lord. He was ſure, however, it would give moſt ſerious alarm to the other kingdom, that they would conſtrue it as an indication, that nothing would be done for them; that the two parliaments would be ſuffered to rub againſt each other, prejudice and jealouſy to meet prejudice and jealouſy, and that the miniſter, whoſe eſſential duty it was to reconcile all differences of opinion between the two countries, to ſmooth the minds of thoſe, who were inclined to be ruffled, and to pacify and quiet the uneaſy, only took upon himſelf the office of clearing the ſtage, and letting them diſpute it out among themſelves. He called upon the houſe to recollect, that the American war had commenced upon leſs provocation than this country had given Ireland. The ſimple idea of the right of taxation had cauſed it. Let their lordſhips reflect, that from the time of the remonſtrances of America, to her declaration of independency, was only eleven months: let them look at the language of Ireland at preſent, they would find it much higher, than that of America had been at the time he mentioned; let them conſider, that in every point of view, Ireland ſtood more forward now than America had done immediately previous to the origin of the war, and let them aſk themſelves, if it were wiſe to ſuffer Ireland to remain in diſcontent for ſeven months longer?

True it is, that the Marquis of Lanſdowne, as well as the late Earl Nugent, the Marquis of Hertford, and ſeveral other great perſonages, who took a lead in the debates upon the Iriſh concerns, had conſiderable intereſt in that kingdom; a circumſtance, which muſt have drawn their obſervation the more cloſely to the real intereſts of that country, without abandoning thoſe of Great Britain, in which they had as great or larger ſtakes: but their opinions, however intereſted they may have been, were in perfect uniſon with thoſe of the greateſt ſtateſmen and moſt conſtitutional characters of that day in both our houſes of parliament, who had no perſonal intereſt in or concerns with

with Ireland. Thus the late Lord Camden doubted much, whether the learned lord on the woolſack underſtood the motion he had ſo fully commented on. Circumſtances had altered ſince the laſt day; the people of Ireland were in a ferment, he would not ſay ripe for inſurrection. Something had been promiſed, nothing had been done.. The language of miniſters, particularly of the noble lord in the other houſe, at the head of the finances, is, "nothing can be done in time." The learned lord confeſſes it, though he has not uſed the very words. What then will be the probable reſult of ſuch a conduct? The patient dies, while the phyſicians are conſulting what to preſcribe: the people, in the laſt ſtage of anguiſh and deſpair, call for immediate redreſs. What, on the other hand, does the preſent motion ultimately tend to? That the parliament of Great Britain, inſtead of empty, general promiſes, a hundred times violated, and on which, of courſe, Ireland cannot depend, call for ſome ſubſtantial proof of Britiſh or miniſterial ſincerity. "Give us "ſome one inſtance, to ſhew that you are ſincere and in earneſt," ſay the people of Ireland. "Call the parliament of both kingdoms, to conſult and deliberate in their reſpective aſſemblies," echoes the addreſs, "in order to come "to ſome ſpecific propoſition, before it be too late; or if that be thought "too much," ſays the addreſs, "let us make ſome progreſs; let the neceſſa-"ry documents on both ſides the water be procured; and let us, at a ſeaſon "of more leiſure, proceed upon ſome certain ſpecific propoſitions, intended "as the baſis of all future proceedings, by which means Great Britain may "determine on the great line, though not the detail, of her intended conceſ-"ſions; and Ireland may know what ſhe will have good reaſonable grounds "to expect."

The late Duke of Manchester, on this occaſion, evinced a moſt remarkable penetration into the continental politics of that day; and were his ſpeech now read without a date, it would be ſuppoſed to have been ſpoken rather at the cloſe of, than ten years previous to the French revolution. His Grace ſaid, he had the higheſt opinion of the loyalty of the people of Ireland, in caſe the French landed as an enemy come to conquer. He had no fears, that the 12,000 men now illegally armed in that country, would join with a foreign invader: by every thing he could learn, they were too brave, too loyal, and too much attached to ſentiments of *humanity*, ever to tamely ſubmit to a foreign yoke, much leſs aſſiſt in forging and riveting their own chains. The alarm created in his mind was of a very different nature. It was the new adopted

policy of France, not to appear as an invader of the rights and liberties of others, but the protector of them, the friend of human kind and of the public, at leaſt, of municipal liberty. The French creed, reſpecting the dependencies of the Britiſh empire, was independency, freedom, no reſtrictive laws upon trade, an exerciſe of natural rights, reſtrained only by law and liberal policy. On this ſyſtem, the great outline of French politics had been newly modelled; and he had certain information, that French emiſſaries had been in Ireland for ſome time paſt, endeavouring to alienate the minds of the people there, as they had ſo effectually done in America.

Whatever the real intentions of France might be, if ſhe ſhould effect the landing of a conſiderable force in that kingdom, he had every reaſon to be perſuaded that it would not act as an enemy, however it might be received; in his opinion, therefore, it was indiſpenſably neceſſary for that houſe and parliament to adopt ſuch ſpeedy meaſures as might promiſe to defeat impreſſions, which, if not timely counteracted, might, from circumſtances of actual miſery, and the deſpair ariſing from it, be productive of the moſt fatal conſequences.

Of all the lords who took a part in this debate, Lord Townſhend was certainly the beſt qualified to ſpeak the moſt pointedly, fairly, and inſtructively, upon the ſtate of Ireland at that critical period. His lordſhip ſpoke in favour of the motion; deſcribed the diſpoſition of the people of Ireland; the ſentiments of the eſtabliſhed church, the diſſenters, and the Roman catholics; the ſtate of the army; the number of people illegally armed there; the face of the country; its rivers, fortreſſes, &c.: from all which he ſhewed the imminent danger of the alternative, of the French landing there in a hoſtile or friendly manner.

He then drew a compariſon between our conduct towards Ireland and America. The firſt, loyal, affectionate, patient under the greateſt miſeries and oppreſſions; the latter, factious, rebellious, ungrateful, and perfidious, in the midſt of plenty, and after receiving a ſeries of accumulated favours.

What was our conduct towards them? They only ſue in the moſt humble and dutiful manner, to looſen the fetters that gall them, and rankle by their intolerable weight, and eat to the very bone. What is our anſwer? Break your chains if you can, or periſh. What is the anſwer to the haughty and inſolent demands of the traiterous Americans, leagued with an inveterate and ambitious enemy for our total deſtruction; who have already drawn ſo much

of

of our beſt blood, and have been the cauſe of our ſpending ſo many millions of our treaſure, wrung from the very vitals of the people? You ſhall be free; you ſhall pay no taxes; we will not interfere with your internal government; you ſhall be bound by no reſtrictions on your trade and commerce.

After contraſting thoſe circumſtances in a very pointed manner, he ſhewed the impolicy and injuſtice of delaying to grant with a good grace, what, if refuſed, muſt be the conſequence of even an accommodation with America; namely, that after the concluſion of the preſent war, the people of Ireland would migrate to America in purſuit of a free trade, and a milder and happier conſtitution of government; that they would carry thither their manufactures which wanted nothing, but the circumſtances he had mentioned to bring them to the utmoſt perfection; that of courſe, the only ſingle queſtion was, whether trade and commerce, a fruitful ſoil, and numerous inhabitants, bound to this country by every motive of affection and intereſt, were preferable to the ſame riches, induſtry, and effective ſtrength, juſt as much in our power to every good or wiſe purpoſe, as if they reſided within the iſland of Great Britain.

His lordſhip then entered into particulars, and deprecated the conſequences which, he foreſaw, would immediately follow a refuſal on our part. Suppoſing we were able to ſpare ſuch a force as might promiſe to keep the people there in awe, twelve or fifteen thouſand men encamped in the ſouthern, center, or northern part of that kingdom; if, for inſtance, the importation of all commodities of Britiſh growth or manufacture, ſhould be prohibited; or ſuppoſe, on the other hand, that the people ſhould reſolve not to permit the exportation of beef or butter, what would our manufacturers do in one inſtance; what would our fleets and diſtant armies do in the other, if a general defection among the body of the people, even among the very magiſtrates, ſhould prevail? Why, while your army in the north may be employed in quelling inſurrections there, your imports and exports would be ſuſpended: or while you are favoring, by a military aid, the export of proviſions in the ſouth, your import in the north and centre would be ſtopped; and ſo *vice verſa.**

* It is difficult to reconcile this liberal, patriotic, and politic ſpeech of the noble lord, with his conduct towards Ireland, when the office of chief governor of that kingdom afforded the means, and impoſed the duty upon him of doing that good to Ireland, which he now warmly recommended to others.

Lord Shelburne, after ſeveral of the miniſterial party, and particularly Lord Chancellor (Thurlow,) had oppoſed the propoſition on the ground of informality, took it off the table, and moved it regularly, when the queſtion being put, it was negatived by a majority of 61 againſt 32.

No further debate took place during that ſeſſion in the Britiſh parliament concerning the affairs of Ireland. The miniſters of that day were too fatally addicted to their pernicious ſyſtem of indolence and procraſtination. They had before them the example of America, now triumphant in their own ſucceſſes, and ſupported by the whole houſe of Bourbon. Theſe alarming circumſtances were conſtantly brought before their eyes in the warmeſt colouring, by an oppoſition of the greateſt weight, numbers, and talents, ever combined in the Britiſh ſenate. Miniſters, however, remitted the great objects of Iriſh grievances to the next ſeſſion, upon the flimſy pretexts of want of information upon the ſubject matter of them, and a fear of a rebellion in the trading towns of Lancaſhire, in caſe the Britiſh parliament ſhould paſs a law, that might abridge the profits of their trade with Ireland, or the colonies. They paſſed ſeveral unimportant laws* during the ſeſſion, which had no other effect, than to create contempt or diſguſt for the government, which they conceived was attempting to play them off with deluſive promiſe and delay. Whilſt the Britiſh parliament was ſitting, the feelings of the Iriſh nation were ſuſpended by the hopes of relief; but when they found, that the Britiſh miniſtry had abandoned their cauſe, they were ſorely exaſperated, and their diſcontents became formidably alarming. Aſſociations were entered into againſt the importation of Britiſh commodities, and for the encouragement of Iriſh manu-

* Such was the 18th of Geo. III. c. 45. For continuing the bounty on the importation of flax ſeed.—Such the 18th of George III. c. 55. For permitting the exportation of certain goods directly from Ireland into any Britiſh plantation in America, or any Britiſh ſettlement on the coaſt of Africa, and for further encouraging the fiſheries and navigation of Ireland; by which it was alſo provided, that from the 24th of June, 1778, all ſhips built in Ireland, and owned by his majeſty's European ſubjects, ſhould be deemed Britiſh built. Such the 18th of George III. c. 61. For repealing ſo much of two acts of Queen Ann, concerning the forfeited eſtates in Ireland being ſold or ſet to Proteſtants, as far as they prohibited, diſqualified, or diſabled Papiſts from taking or enjoying any right or intereſt therein, or which inflicted any penalties on perſons making or accepting any intereſt therein. Such the 19th of George III. c. 83. For repealing ſeveral acts, that prohibited the growth and produce of tobacco in Ireland; and to permit the importation of it into Great Britain upon the like duties as from America. Such the 19th of George III. c. 87. For granting a bounty on the importation of hemp into Great Britain from Ireland for a limited time.

factures.

factures. At an aſſembly holden at the Tholſel of the city of Dublin, the following reſolutions were agred to, viz.

" *Reſolved*, That the unjuſt, illiberal, and impolitic oppoſition given by " many ſelf-intereſted people of Great Britain, to the propoſed encouragement of the trade and commerce of this kingdom, originated in avarice " and ingratitude.

" *Reſolved*, That we will not directly, or indirectly, import or uſe any " goods or wares, the produce or manufactures of Great Britain, which can " be produced or manufactured in this kingdom, till an enlightened policy, " founded on principles of juſtice, ſhall appear to actuate the inhabitants of " certain manufacturing towns of Great Britain, who have taken ſo active a " part in oppoſing the regulations propoſed in favour of the trade of Ireland; and till they appear to entertain ſentiments of reſpect and affection for " their fellow ſubjects of this kingdom."*

Shortly after the aſſizes at Waterford, the high ſheriff, grand jury, and a number of the moſt reſpectable inhabitants, aſſembled for the purpoſe of taking into conſideration the ruinous ſtate of the trade and manufactures, and the alarming decline in the value of the ſtaple commodities of the kingdom;

* During this century, ſaid the Right Honourable Hely Hutchinſon, (Comm. Reſt. p. 215,) Ireland has been, without exaggeration, a mine of wealth to England, far beyond what any calculation has yet made it. When poor and thinly inhabited, ſhe was an expence and a burden to England; when ſhe had acquired ſome proportion of riches, and grew more numerous, ſhe was one of the principal ſources of her wealth. When ſhe becomes poor again, thoſe advantages are greatly diminiſhed. The exports from Great Britain to Ireland, in 1778, were leſs than the medium value of the four preceding years in a ſum of 634,444*l.* 3*s.*; and in the year 1779, Great Britain is obliged, partly at her own expence, to defend this country, and for that purpoſe has generouſly beſtowed out of her own exchequer a large ſum of money. Thoſe facts demonſtrate, that the poverty of Ireland ever has been a drain, and her riches an influx of wealth to England, to which the greater part of it will ever flow, and it imports not to that country through what channel: but the ſource muſt be cleared from obſtructions; or the ſtream cannot continue to flow.

Such a liberal ſyſtem would increaſe the wealth of this kingdom, by means that would ſtrengthen the hands of government, and promote the happineſs of the people. Ireland would then be able to contribute largely to the ſupport of the Britiſh empire, not only from the increaſe of her wealth, but from the more equal diſtribution of it into a greater number of hands among the various orders of the community. The preſent inability of Ireland ariſes principally from this circumſtance, that her lower and middle claſſes have little or no property, and are not able, to any conſiderable amount, either to pay taxes, or to conſume thoſe commodities that are the uſual ſubjects of them; and this has been the conſequence of the laws which prevent trade, and diſcourage manufactures.

and

and looking upon it as an indiſpenſable duty that they owed their country and themſelves, to reſtrain, by every means in their power, theſe growing evils, they came to, and ſigned the following reſolutions:

" *Reſolved*, That we, our families, and all, whom we can influence, ſhall " from this day, wear and make uſe of the manufactures of this country, and " this country only, until ſuch time as all partial reſtrictions on our trade, " impoſed by the illiberal and contracted policy of our ſiſter kingdom, be re- " moved; but if in conſequence of this our reſolution, the manufacturers " (whoſe intereſt we have more immediately under conſideration) ſhould act " fraudulently, or combine to impoſe upon the public, we ſhall hold our- " ſelves no longer bound to countenance and ſupport them.

" *Reſolved*, That we will not deal with any merchant or ſhopkeeper, who " ſhall, at any time hereafter, be detected in impoſing any foreign manufac- " ture as the manufacture of this country."

Reſolutions of this kind became general, in conſequence of which efforts, the manufactures of Ireland began to revive, and the demand for Britiſh goods in a great meaſure decreaſed; a circumſtance which tended to produce a diſpoſition in Great Britain to attend to the complaints of that country, different indeed from that, which Ireland had hitherto experienced.

It is more matter of calculation, than of reaſoning, to aſcertain the grounds, which Ireland had at this period to preſs Great Britain to ſupport her in her ſtruggle for commercial freedom. The annual balance of exports and imports returned from the entries in the different cuſtom-houſes in favor of Ireland, on all her trade with the whole world, in every year from 1768 to 1778, when compared with the remittances made from Ireland to England in each of thoſe years, was as follows: the balance in favor of Ireland on her general trade by thoſe returns was in 1776, 606,190*l.* 11*s.* 0*d.*; in 1777, 24,203*l.* 3*s.* 10*d.*; in 1778, 386,384*l.* 5*s.* 7*d.*; and taken at a medium of eleven years from 1768 to 1778 both incluſive, amounted to the ſum of 605,083*l.* 7*s.* 5*d.*; the ſums remitted from Ireland to Great Britain for rents, intereſt of money, penſions, ſalaries, and profits of offices, amounted at the loweſt computation from 1768 to 1773, to 100,000*l.* yearly; and from 1773, when the tontines were introduced, from which period large ſums were borrowed from England, thoſe remittances were conſiderably increaſed, and in 1777 they amounted to no leſs than between twelve and thirteen thouſand pounds yearly. Ireland, therefore, at that period, paid to Great Britain

double

double the ſum, that ſhe collected from the whole world in all the trade, which Great Britain allowed her.

We find no hiſtorical document to account for the policy of not convening the parliament of Ireland in the preſſure of their national diſtreſs: the miniſtry in Great Britain was frequently called upon by the oppoſition to account for this extraordinary conduct, but no anſwer was ever given to the ſummons. It now appears unqueſtionable, that the length of the receſs, coupled with the peculiar circumſtances of Ireland's failing in their expected redreſs from the refuſal of the Britiſh parliament, and the want of an Iriſh parliament to apply to, gave riſe to the exertions of thoſe native energies, to which an oppreſſed and injured people never fails in extremity to reſort. During this receſs the ſyſtem of aſſociating and volunteering took its riſe, and had made conſiderable progreſs* ere the parliament met on the 12th of October,

* The progreſs of the volunteers during the receſs of the Iriſh parliament in 1779 is thus deſcribed by one of the moſt prominent of that corps in his Hiſtory of Iriſh Affairs from the 12th of October, 1779, to the 15th of November, 1782, by *Francis Dobbs*, Eſq. p. 36. "An expedient "free trade and the fallacy of it was ſoon underſtood. The plain and ſimple doctrine, that we "could not be free, if any power on earth could make laws to bind us, ſave our king, lords, and "commons, quickly prevailed. This became the ſentiment of almoſt every man. It could not "be openly, but it was inſidiouſly attacked. Theſe attacks raiſed many powerful advocates for "Iriſh liberty. The public mind became enlightened; and it was in vain, that the ſupporters of "adminiſtration preſſed them to attend to their free trade, and relinquiſh their freedom. With "their information, the power of the people was alſo increaſing. A variety of cauſes all tended to "add to the volunteers. The gentlemen who had hitherto taken the moſt active part, were moſtly "of what is called the country party. Government not able to ſuppreſs, wiſhed its ſupporters alſo "volunteers. On this principle many new corps were raiſed, differing much in political ſentiment, "but who were to become equally uſeful to their country. Another cauſe operated ſtrongly: it "became highly faſhionable. Volunteer rank was an object of ambition, and it was conſidered as the "moſt glorious deſtination of a gentleman, to be at the head of a well-appointed corps. Among the "lower orders of men, the ſmartneſs of thoſe, who had enrolled themſelves became an object of envy "and emulation. The idea of glory, which attended it, alſo had its weight; and every able young "man felt aſhamed, that he was not amongſt the guardians of his country. The fair alſo, mate-"rially ſerved the volunteer cauſe. Countrymen from being ſlovenly in their dreſs, and aukward "in their manners, became neat in their perſons, and comparatively poliſhed and refined. They "were alſo to be the protectors of their miſtreſſes, and obtained from the ſofter ſex in return an en-"vied precedence. In ſhort, theſe various cauſes operated ſo powerfully, that almoſt every man who "could, became a volunteer. But the volunteers, though powerful, had no fixed object; no bond "of union; no communication. Detached in ſeparate companies, they as yet wanted that con-

"nexion,

October, 1779. On this occaſion the lord lieutenant in his ſpeech took notice of the general ſtate of affairs in the following words:† "At a time when "the trade and commerce of this kingdom are in a more particular manner "the objects of public attention, it were to be wiſhed, that the general "tranquillity, ever deſirable, had been reſtored, ſo as to have left you en- "tirely at leiſure to deliberate on thoſe great and important ſubjects; but "I am perſuaded you will not permit any intereſts, however dear to you, to "impede your efforts, or diſturb your unanimity at this moſt important pe- "riod; and I have it expreſsly in command from his majeſty to aſſure you, "that the cares and ſolicitudes inſeparable from a ſtate of hoſtility have not "prevented him from turning his royal mind to the intereſts and diſtreſſes "of this kingdom with the moſt affectionate concern, of which, the money "remitted to this country for its defence, when England had every reaſon "to apprehend a moſt formidable and immediate attack, affords a convincing "proof. Anxious for the happineſs of his people, his majeſty will moſt "cheerfully co-operate with his parliaments in ſuch meaſures as may pro- "mote the common intereſts of all his people.

"It is with great concern I have to inform you, that on account of the ex- "traordinary decline of the revenues, the very liberal ſupplies of the laſt ſeſ- "ſion have proved inadequate to the exigencies of government, ſo that, "contrary to my moſt ſanguine expectations and moſt earneſt endeavours, "there is a conſiderable arrear now to be provided for.

"The united efforts and great military preparations of the houſe of Bour- "bon ſeem only to have rouſed the courage, and called forth the exertions of "his majeſty's brave and loyal ſubjects of this kingdom; and I have only "to lament, that the exhauſted ſtate of the treaſury has hitherto put it out "of my power to give thoſe exertions the moſt extenſive and conſtitutional "operation, by carrying the militia law into execution."

As ſoon as the lord lieutenant's ſpeech had been read in the Houſe of Commons, Sir Robert Tilſon Dean aroſe, and after an exordium in a high ſtrain of panegyric on the lord lieutenant's adminiſtration, and the good diſpoſi-

"nexion, which alone could make them truly beneficial." This gentleman (he was a barriſter) about this time wrote a letter to Lord North, on the criſis of affairs in Ireland, which is to be ſeen in the Appendix, No. LXVI. it was written in the ſpur of the moment, and is a faithful index of the general ſpirit, which had then ſeized the Iriſh nation.

† 10 Journ. Com. p. 11.

ſitions

tions of his majeſty and the Britiſh miniſtry toward that kingdom, moved for an addreſs to the throne, expreſſing in the warmeſt terms the grateful ſenſe the houſe entertained of thoſe diſpoſitions, and, in the uſual language of theſe addreſſes, echoing the ſpeech. The motion was ſeconded by Mr. R. H. Hutchinſon, who ſaid this was a great, critical, and important period, in which the declarations of the king, the beſt of princes, and the Britiſh legiſlature, left no room to doubt but every good was deſigned for Ireland; that his majeſty's ſpeech in the Britiſh houſe, at the cloſe of the laſt ſeſſion, was the harbinger of good tidings and great events, which was on that day confirmed by the lord lieutenant's ſpeech, who ſaid he had it in command to declare his wiſh to co-operate in ſuch meaſures, as might beſt promote their intereſts, which, in the hands of their adminiſtration, muſt be well managed, as their deſigns were pure; that under ſuch an adminiſtration, the general benefit of the empire would be attended to, above all partial and ſelfiſh conſiderations; and the veil of calumny, which had ſo long traduced them, would diſappear, and the factious calumniators, touched with truth, as with the ſpear of Ithuriel, would ſtart into ſhape. What thanks were due to the chief governor, who ſo reſpectfully mentioned the ſocieties of armed patriots throughout the kingdom. What muſt their opinion be of a chief governor, who ſpoke ſo honorably of that great bulwark of conſtitutional liberty, a national militia? Though their diſtreſſes were great, from them proſperous days might ſpring.

Mr. Grattan ſaid, the ſpeech contained nothing explicit, nothing ſatisfactory; it meant to quiet the minds of the people, without any declaration whatever. After his majeſty had been addreſſed by his Iriſh ſubjects for a free export trade, did ſuch addreſſes require no anſwer? Were the people of Ireland undeſerving the notice of the Britiſh miniſters? Was there no reſpect for the intereſts of theſe kingdoms among the ſervants of the crown on that ſide of the water? Were not theſe ſervants of the crown alſo repreſentatives of the people? Why not then ſpeak out? Were their diſtreſſes of ſo private a nature, that they muſt not be mentioned? Here he gave an eloquent and pathetic picture of the miſerable condition of the kingdom. It was plain they had nothing to expect, ſince applications from the people, backed even by the officers of the crown, were not attended to. Ireland then had nothing to depend upon but her own ſpirit; no redreſs of grievances, no extenſion of trade, but from the efforts of her people! and would it be politic, would it

be ſafe, here or elſewhere, to oppoſe theſe efforts? Why does not the addreſs alſo ſpeak out? Why had they leſs ſpirit than the people? Should the commons of Ireland ſhew leſs ſpirit than the moſt inſignificant corporation? The diſtreſſes of Ireland were twofold, the beggary of the people, and the bankruptcy of the ſtate. The kingdom was ruined by a balance of trade againſt her for ſo many years, and the drain of abſentees; the prevailing ſpirit of aſſociations was but a temporary expedient, and ſomething more effectual muſt be done.

The bankruptcy of the ſtate was the conſequence of a ſyſtem of boundleſs prodigality, profligacy, and violence. The peace eſtabliſhment of that poor country amounted to one-ſixth of that of England; and what proportion was there in their means? What was that eſtabliſhment? Infamous penſions to infamous men! (Here he launched into perſonalities.) And would thoſe men, whom they paid, vote againſt an extenſion of their trade? Vote againſt the means of ſupporting them? To what paſs had adminiſtration reduced that kingdom! To be inſulted with their poverty in the ſpeech from the throne; to be told of their beggary; that the officers of the crown there had begged 50,000*l.* from England, or the troops could not have marched into camp; when it was known, that it was that profligacy, that has unnerved the arm of government, and made the ſword of defence fall in its hands.

He then moved an amendment to the addreſs, to be inſerted in the following words:

"That we beſeech your majeſty to believe, that it is with the utmoſt reluctance we are conſtrained to approach you on the preſent occaſion; but the conſtant drain to ſupply abſentees, and the unfortunate prohibition of our trade, have cauſed ſuch calamity, that the natural ſupport of our country has decayed, and our manufactures are dying away for want. Famine ſtalks hand in hand with hopeleſs wretchedneſs, and the only means left to ſupport the expiring trade of this miſerable part of your majeſty's dominions, is to open a free export trade, and let your Iriſh ſubjects enjoy their natural birthright." Lord Weſtport ſeconded Mr. Grattan's motion for the amendment. Mr. Flood conſidered the addreſs as inexplicit. Sir Henry Cavendiſh declared he would vote againſt the amendment, apprehending that this buſineſs would be better effected by opening a committee on purpoſe, or rather following a precedent in the year 1661, when the lords and commons of Ireland appointed

pointed commiſſioners to attend the king, to ſupplicate the redreſs of grievances.

Mr. Ogle reprobated the idea of entering into a committee on the ſubject of grievances: he was ſick, he ſaid, of the mode of trifling with the nation in order to gain time; if they did not mention ſomething in the addreſs, the miniſtry might again ſhelter themſelves under the old excuſe, that truly they did not know what the Iriſh wanted, as their parliament was ſilent on the head, and ſo went on with the old ſyſtem of duplicity.

Sir Edward Newenham conjured the houſe, by all they held dear, to reaſſume their wonted dignity and power, charged the Britiſh miniſtry with contempt and neglect to the nation, and called on their warmeſt advocate to deny the aſſertion; ſaid he perfectly agreed with Mr. Flood, that the addreſs did not go far enough, and that he thought the original addreſs a ſervile echo to the ſpeech.

The Provoſt drew a moſt pathetic picture of the melancholy ſituation of his native country, declaring, on that queſtion, that no adminiſtration ſhould bias him from the welfare of his country.

The Attorney General delivered a ſtudied eulogium on the ſenſibility of the king, and the humanity of his miniſter.

The debate now took a new turn; ſeveral of the miniſterial party declared, that though they thought this buſineſs might have come more properly otherwiſe, yet, that there might be an unanimity, they would not oppoſe the amendment.

The Rt. Hon. Henry Flood declared for the amendment, and entered largely into a juſtification of his political conduct, which, he ſaid, had unfortunately been much miſrepreſented; that the office he held was the unſolicited gift of his ſovereign, which he had received with gratitude, and held with honor, that when a time came, that he could no longer do it, he would gladly throw the bracelet into the common cauldron.

Mr. Prime Serjeant (Huſſey Burgh) after expatiating on the neceſſity of immediately laying, in an unequivocal manner, the ſtate of the diſtreſſes at the foot of the throne, moved in lieu of the amendment propoſed, "that it "is not by temporary expedients, but by a free trade alone, that this na"tion is now to be ſaved from impending ruin."

The amendment was carried *Nem. Con.* as was alſo the addreſs to the lord lieutenant.

So crying were the diſtreſſes of Ireland at this period, ſo impotent was the hand of government to relieve them, that the moſt important change of diſpoſition, ſentiment, and action in the people took place under the eye, in defiance and with the acquieſcence of government. By the melancholy conſequences of the American war, our fleets had become inferior to the combined forces of the enemy: our own coaſts were inſulted, thoſe of Ireland wholly unprotected: the military eſtabliſhment had been ſo drained to recruit the regiments in America, that there were not 5000 forces in that kingdom to defend the ſea-ports even from the crews of ſingle veſſels. Hence aroſe the neceſſity of volunteers arming in defence of their abandoned country. Government affrighted at the ſituation, into which they had thrown or permitted the country to be thrown, delivered out to the people 16000 ſtand of arms, thereby encouraging and increaſing the number of volunteers, without any ſtipulation, regulation, or authority for organizing or ſubjecting them to ſubordination. The commercial face of the country exhibited a ſtill more deſponding view: her veſſels taken within ſight of her ports: her trade ſhackled in almoſt every branch by Britiſh reſtrictions: an embargo on the exports of her proviſion trade: her linens lying upon their merchants hands: her imports and her abſentees ſwallowing up all her currency: and ſlight or no returns to ſupply an exhauſted treaſury. Wretchedneſs, deſperation, and ruin preſented themſelves at every point of view, and in the debate upon the ſpeech from the throne once more diſſolved the miniſterial phalanx, and imperiouſly called upon the ſtaunchеſt ſupporters of the caſtle intereſt to quit their ranks, and vote for a *free trade*. The nation rejoiced at this glorious opening of the ſeſſion, and poured forth its gratitude to parliament; they in their turn paid their tribute of thanks to the volunteers, who it appears now amounted to 42,000 men. It is ſingular, that this formidable body, armed and organized by no other authority or ſanction than the great law of ſelf-defence, was neither charged nor queſtioned by the Iriſh government or parliament as to the legality of their commiſſion or delegation. Government had ſo waſted its vigor, that it could not raiſe its arm in ſelf-defence. Whilſt this debate was going forward, the populace aſſembled round the parliament houſe, and with full impunity menaced the members, and demanded oaths of them to ſupport the meaſure, committing ſeveral acts of outrage and intimidation. To this juncture did the late Lord Clare refer in his memorable ſpeech on the Union (p. 29), when he ſaid, "The imbecility

"of

"of Lord Buckinghamſhire's government had arrayed the volunteer army, "and the addreſs to his majeſty voted in 1779 by the commons, demanding "*a free trade as the right of Ireland*,* was followed inſtantly by a reſolution "of thanks to that army for their array."

The rights of Ireland appear to have been more warmly combated in the Britiſh, than in the Iriſh ſenate. The Iriſh parliament had been convened about five weeks before that of Great Britain, in order that the objections preſſed by the oppoſition againſt the long receſs of the Iriſh parliament, might be done away, and ſome ſpecific demands might be ſubmitted, by the Iriſh to the Britiſh parliament, which the moſt plauſible of the miniſterialiſts had frequently called for. On the 1ſt of December, 1779, Lord Shelburne moved in the Britiſh Houſe of Lords, that the addreſs of that houſe, which paſſed unanimouſly on the 11th of May laſt, recommending to his majeſty's moſt ſerious conſideration the diſtreſſed and impoveriſhed ſtate of the loyal and well deſerving people of Ireland, and to direct that there be prepared and laid before parliament ſuch particulars, relative to the trade and manufactures of Great Britain and Ireland, as to enable the national wiſdom to purſue effectual meaſures for promoting the common ſtrength, wealth, and commerce of his majeſty's ſubjects in both kingdoms, and his majeſty's anſwer of the following day, that he would give directions accordingly: and likewiſe the motion to addreſs his majeſty, which he took the liberty to trouble their lordſhips with on the 2d of June, re-ſtating the neceſſity of giving ſpeedy and effectual relief to Ireland, and offering the full co-operation of that houſe towards giving relief to that kingdom; and if his royal prerogative, as veſted in him by the conſtitution, were not adequate to adminiſter the wanted relief, that his majeſty would be pleaſed to continue the parliament of this kingdom, and give orders forthwith for calling the parliament of Ireland, that their juſt complaints might be fully conſidered, and remedied without delay; which laſt, his lordſhip obſerved, had been negatived by a conſiderable majority, no

* When the ſpeaker carried up the addreſs to the lord lieutenant, the ſtreets, from the Parliament-houſe to the Caſtle, were lined by the Dublin volunteers, commanded by the Duke of Leinſter, drawn up in their arms and uniform. The acclamations of the people as he paſſed along, expreſſed their wiſhes and their joy on this very ſingular occaſion: the pulſe of the nation beat high. A general expection of redreſs was now diffuſed; at the ſame time, anxiety and ſuſpicions were entertained, that there was danger of being diſappointed, from the ſame ſpirit, in which England had hitherto kept that country, in a ſtate of humiliating and oppreſſive bondage.

leſs

leſs than by 61 to 32; theſe documents being read at the table, his lordſhip proceeded to explain the grounds of his intended motion, which would, if carried, amount to a vote of cenſure upon miniſters, whoſe conduct he moſt ſeverely reprobated; he then adverted to the conſequences, which that conduct drew after it; exactly what every thinking man muſt have clearly foreſeen. Ireland diſclaimed any connexion with Great Britain; ſhe inſtantly put herſelf into a condition of defence againſt her foreign enemies; oppreſſed at one time by England, and at length reduced to a ſtate of calamity and diſtreſs, experienced by no other country that ever exiſted, unleſs viſited by war or famine; and perceiving, that all proſpect of juſtice or relief was in a manner finally cloſed, and that ſhe muſt periſh, or work out her own ſalvation, ſhe united as one man to reſcue herſelf from that approaching deſtruction, which ſeemed to await her. The people inſtantly armed themſelves, and the numbers armed ſoon increaſed to upwards of forty thouſand men, and were daily augmenting. This moſt formidable body was not compoſed of mercenaries who had little or no intereſt in the iſſue, but of the nobility, gentry, merchants, citizens, and reſpectable yeomanry: men able and willing to devote their time, and part of their property, to the defence of the whole, and the protection and ſecurity of their country. The government had been abdicated, and the people reſumed the powers veſted in them; and in ſo doing, were fully authorized by every principle of the conſtitution, and every motive of ſelf preſervation; and whenever they ſhould again delegate this inherent power, they firmly and wiſely determined to have it ſo regulated, and placed upon ſo large and liberal a baſis, that they ſhould not be liable to ſuffer under the ſame oppreſſions in time to come; nor feel the fatal effects and complicated evils of mal-adminiſtration; of calamity without hopes of redreſs; or of iron-handed power without protection.

To prove, that theſe were the declared and real ſentiments of the whole Iriſh nation, he ſhould not dwell upon this or that particular circumſtance; upon the reſolutions of county and town meetings; upon the language of the aſſociations; upon the general prevalent ſpirit of all deſcriptions of men of all religions: matters of this kind, however true or manifeſt, were ſubject to, or might admit of controverſy. He would ſolely confine himſelf to a paſſage contained in a ſtate paper; he meant the addreſs of both houſes of the Iriſh parliament, declaring, that nothing but granting the kingdom "a free trade," could ſave it from certain ruin. Here was the united voice of the country conveyed

conveyed through its proper conſtitutional organs, both houſes of parliament, to his majeſty, againſt which there was but one diſſenting voice in the houſes, and not a ſecond, he believed, in the whole kingdom. Church of England men, and Roman Catholics, Diſſenters, and Sectaries of all denominations; Whigs and Tories, if any ſuch were to be found in Ireland; placemen, penſioners, and country gentlemen; Engliſhmen by birth; in ſhort, every man in and out of the houſe, except the ſingle inſtance mentioned, had all united in a ſingle opinion, that nothing would relieve the country ſhort of a free trade.

After ſtating, in a variety of inſtances, the miſconduct, incapacity, but, above all, the ſhameful inattention of miniſters to the affairs of Ireland, by which we were driven to the melancholy terms of ſubmitting to whatever Ireland might think proper to dictate, or to the loſs of Ireland as well as America, his lordſhip proceeded to point out ſeveral exiſting grievances in that country, as well ariſing from its particular conſtitution, as interior government. He obſerved, that there was one groſs defect in the former, and that too of the firſt magnitude; he meant the power the crown being inveſted with, or arrogating to itſelf the diſpoſal of the hereditary revenue, which amounted to full two-thirds of the whole monies raiſed upon the people. This could be diſpoſed of at the king's pleaſure, or its produce in part be anticipated by royal grants, called the king's letters. Such a general grant, he allowed, was not to be ſuppoſed or feared; but as long as the claim was contended for, it muſt continue a dangerous claim, becauſe it inveſted the whole produce in the king, and with it conſequently the power of the ſword. It had, however, this immediate effect, that the miniſters were at all times at liberty to give penſions, create places; and the ſalaries and ſums granted or annexed to them, being charged upon the hereditary revenue, it in fact amounted to a power to tax; becauſe, if that revenue fell ſhort, other taxes muſt be laid on the people, and other burdens incurred, in order to make good thoſe eventual deficiencies. This power, and the uſe made of it, was a ſource of endleſs miſchief to the people of Ireland, and in its conſequences to the people of England; becauſe it afforded miniſters on both ſides the water, the means of corruption, and rewarding thoſe, who ſupported them in their views, and gave a ſanction to their meaſures. It was doubly miſchievous to Ireland; for while it impoveriſhed the people there, it at the ſame time time furniſhed the means of future oppreſſion, and repeated public rapine.

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It was a matter of notoriety, when Ireland had applied for ſome trifling favor in the laſt ſeſſion, ſome few days only before the noble marquis moved the addreſs read that day at the table, that the miniſter in the other houſe, (Lord North) underſtanding, that the houſe was about to relax, and that the favour was upon the point of being granted, came down, and by his ſole influence threw out the bill by a majority of three only; and, not contented with giving a ſilent vote, ſpoke with his uſual energy and ſucceſs againſt it. This act of declared hoſtility againſt the people of Ireland, with the ſubſequent neglect of adminiſtration, in not attending to the united ſentiments of the Britiſh legiſlature, was, in his opinion, the cauſe, that Ireland was not now in a perfect ſtate of tranquillity and obedience to the government of this country; and that, inſtead of ten or twelve thouſand aſſociators, there was now, he believed, full four times the number, well armed and accoutred, and daily improving in diſcipline. The Iriſh ſaw what they muſt truſt to, and they took their option. The honor and dignity of the crown were diſgraced; the ſword was dropped, and the people had taken it up on the double motive of defending themſelves againſt a foreign enemy; and compelling that juſtice with arms in their hands, that had, as with America, been denied to their humble applications, and the repeated narratives and repreſentations of their calamities and diſtreſs.

After diſclaiming all perſonal reſentment in the act of duty, he undertook to perform, his lordſhip then moved the following reſolution:

" That it is highly criminal in his majeſty's miniſters to have neglected tak-
" ing effectual meaſures for the relief of the kingdom of Ireland, in conſe-
" quence of the addreſs of this houſe of the 11th of May, and of his majeſty's
" moſt gracious anſwer; and to have ſuffered the diſcontents of that king-
" dom to riſe to ſuch an height, as evidently to endanger the conſtitutional
" connexion between the two kingdoms, and to create new embarraſſments
" to the public councils, by diſunion and diffidence, in a moment when real
" unanimity, grounded upon mutual confidence and affection, is confeſſedly
" eſſential to the preſervation of what is left of the Britiſh empire."

Earl of Hilſbrough aroſe, and admitted, that he thought Ireland was entitled to a free trade with equal taxes, or, as he had before expreſſed himſelf, to an equal trade. So far his opinions went, and on that ground he thought himſelf well warranted in recommending to his majeſty, and propoſing to the conſideration of parliament the granting Ireland an equal trade. As to the event

of

of this meaſure, all he could poſitively ſay, was, that it perfectly accorded with his ideas of policy and juſtice; and from the temper and diſpoſition of the people of both kingdoms, he had good grounds to hope, that an equal trade, with the conditions to be annexed, would give perfect ſatisfaction and content, as well to the Britiſh, as the Iriſh nation.

The Marquis of Rockingham ſaid, the non-importation agreement in Ireland had not been general, but had been entered into only by ſome counties and towns, at the time his motion was made; but as ſoon as the Iriſh perceived, that no relief was to be expected from miniſters, though every branch of the legiſlature had promiſed it, the non-importation agreement became general, and the ſpirit of military aſſociation, which was directed ſolely to defence againſt a foreign enemy, ſoon aſſumed a different form; and looked forward to compel that relief, which, with good will and good intentions on our part, had before no exiſtence in the minds of the people of Ireland. Had ſomething been done when he firſt moved, or if parliament had been kept ſitting, according to the propoſitions of his noble friend, of the 2d of June, neither the aſſociations, nor the non-importation agreement, would have ever exiſted in their preſent extent. Could their lordſhips, then, with ſuch ſelf-evident proof before them, refuſe, when it was, perhaps, the only meaſure which could effect the ſalvation of their country from the innumerable perils which encompaſſed it on every ſide, to paſs a cenſure upon thoſe men, who, by ſuch baſe neglect, or complicated folly and treachery, had forced the Iriſh not only to thoſe meaſures already mentioned, but had driven them to the laſt neceſſity, that of taking up arms to redreſs themſelves, and forming into aſſociations, which, however well intended, moſt clearly amounted to a ſuſpenſion, if not a ſubverſion, of all the power of legal government; and which, if ſpeedy meaſures of conciliation were not adopted, might terminate in a civil war.

Among the grievances complained of by the people of Ireland, his lordſhip mentioned the expreſſions of diſapprobation, on the ſhameful abuſe and ſcandalous waſte of the public revenues,* and the penſion liſt.

Earl

* As an inſtance of this charge, he mentioned the purchaſe made of the office of Clerk of the Pells in that kingdom, from the then poſſeſſor of that place, an honorable member of the other houſe, who was an ornament to his country, (Mr. Fox) who held it by virtue of a patent for thir-

Earl Gower ſaid, he had the good fortune to unite the houſe laſt ſeſſion, upon the terms of the addreſs to the throne. He was in hopes, that ſomething effectual for the relief of Ireland would have ariſen from the unanimous concurrence of their lordſhips, in the amendment that he had the honor to propoſe. If, however, nothing had been done for the relief of that country, which he was pretty ſure was the caſe, he aſſured the houſe he had done every thing in his power to keep his word, which he had ſolemnly pledged to their lordſhips, he was ready to acknowledge; but he muſt add, in his own juſtification, that his efforts had proved totally unfruitful. It was not in his power, nor in the power of any individual, to effect any ſuch purpoſe.

He had preſided, he ſaid, for ſome years at the council table, and had ſeen ſuch things paſs there of late, that no man of honor or conſcience could any longer ſit there.

The times were ſuch as called upon every man to ſpeak out: the ſituations of thoſe two kingdoms, particularly at preſent, required ſincerity and activity in council.

Lord Stormont ſaid, he was of opinion with the noble earl who ſpoke early, (Hillſbrough) that no part of the charge contained in the motion had been proved; nor were the parties accuſed, admitted to their defence.

Lord Camden ſaid, the motion was ſo fully proved and ſubſtantiated in all its parts, that there was not a propoſition in Euclid, the demonſtrative proof of which might not, with equal juſtice, be controverted or denied. Miniſters

ty-one years. In deſcribing the whole of this accommodation, he obſerved, that the net profit of the place was but 2300*l.* a year; that the miniſter gave 30,000*l.* in hand, and a penſion of 1700*l.* per annum; but for what purpoſe did he make this uſurious contract? Not to oblige or ſerve that gentleman; not to relieve that kingdom from an enormous annual charge of a ſinecure place, which required no attendance, but to qualify for the place on the ſpot, a cuſtom long fallen into diſuſe, the very form, upon every occaſion, having for many years, and upon moſt occaſions, been diſpenſed with, by the aid of a Britiſh act of parliament, but merely to accommodate Mr. Jenkinſon, (now Earl of Liverpool) ſecretary at war, and to load the ſinking revenue of that country with a ſtill heavier burden, by increaſing the income of this ſinecure place from 2300*l.* per annum, which it was when the honorable gentleman held it, to 3500*l.* per annum, on Mr. Jenkinſon's appointment; beſides 1700*l.* a year given to the former gentleman on the penſion liſt; by which means Ireland was loaded with a burden of 5200*l.* a year, or an addition of 2900*l.* a year, as long as the patentee, the grantee, and the children of the former, included in the patent, ſhould live; and 1900*l.* a year in perpetuity, in addition. Nothing could be more uſurious—nothing more ungenerous, than this job of the miniſter.

had

had been defired, by the firſt authority in this country, the king, lords, and commons, to give Ireland relief; to enquire into the nature of their diſtreſſes, and remove the ground of their complaints. The queſtion was, had they done ſo? If they had, the motion muſt fall to the ground; if they had not, did not the *onus* lie upon the miniſters to ſtate the reaſons why they had not, or were unable to perform what they were entruſted to execute?

He ſpoke highly of the Iriſh nation; of their loyalty and affection; their wiſdom and their public ſpirit. He hoped and believed, notwithſtanding the ill treatment they had received; the cruel burdens impoſed upon them by this country; and the ſucceſſion of neglects and harſh meaſures they had felt, which had at length brought on an accumulation of diſtreſſes and calamities; that yet, all circumſtances conſidered, they would ſtill retain their affection and attachment for England.

Nothing ſhould be done by halves; nothing niggardly, or apparently accompanied with reluctance.

He lamented the ſtate of public affairs, and the baneful conſequences of the American war; yet he did not entirely deſpair of, at leaſt the friendſhip and good will, though perhaps, we had no great right to hope for the ſovereignty of America. Ireland was ſtill ours, and devoted to us. This iſland, with the aid of that kingdom, was ſtill equal to make a moſt reſpectable figure among the powers of Europe; and if nothing better could be procured, he was perſuaded, that, with Ireland, rendered uſeful to herſelf, and of courſe, to us, we ſhould ſtill be a match for any confederacy which might be formed againſt us. The queſtion being put, was negatived by a majority of 82 againſt 37.

The critical and alarming ſituation of Ireland was debated more diffuſely and warmly in the Britiſh Houſe of Commons, than in the Peers. *On the 6th of December, 1779, Lord Upper Oſſory roſe, and prefaced his intended motion with a ſhort ſpeech in its ſupport, which he confeſſed, when moved, would appear to amount to a vote of cenſure upon miniſtry, for their total inattention to the affairs of Ireland, towards the cloſe of the laſt ſeſſion, and during the whole of the prorogation of parliament. They had, he ſaid, totally abandoned the government of that kingdom to chance; they neither felt for its diſtreſſes, nor provided againſt its poſſible, nay, probable and natural reſentments. They turned a deaf ear to its mode-

* 15 Parl. Debates, p. 99.

rate requeſts; and had the peculiar merit of transforming the laſt ſtages of national miſery and public deſpondency, into vigour, ſtrength, ſpirit, and every means which could concur to draw forth a moſt formidable reſiſtance, and all the time ſtood by unmoved, as unconcerned ſpectators, or as if giving countenance to the meaſures taken by Ireland, in order to compel a full and effectual redreſs of all her real and ideal grievances. He contended, that the ſpirit of reſiſtance directed towards independency, which had manifeſted itſelf in Ireland, was imputable, and ſolely imputable, to the ſhameful inattention and criminal neglect of miniſters, who might have, in the early ſtages of the miſeries of that kingdom, granted the Iriſh ſubſtantial relief, and prevented the ſeeds of thoſe diſorders, which now threatened a diſſolution of all conſtitutional government, from growing up ſuddenly to their preſent ſtate of maturity: ſuch relief too, as being founded in juſtice, and dictated by motives of ſound policy, would have operated preventatively. The Iriſh would have reſted content with the compliance of requeſts, far ſhort of what they were fairly entitled to expect: no man could anſwer, at that inſtant, by what bounds their demands would be limited: no man could ſay on what conditions they would be ſatisfied; or upon what baſis the intereſts and reſpective rights of both countries could be fairly eſtabliſhed, without either a total ſeparation, or conſenting to throw too great a weight into the ſcale of Ireland. As, therefore, the unhappy dilemma this country ſtood in, reſpecting that kingdom, aroſe entirely and excluſively from the inattention of adminiſtration, he begged leave to make the following motion, to be propoſed by way of reſolution.

Reſolved, " That it is highly criminal in his majeſty's miniſters, to have " neglected taking effectual meaſures for the relief of the kingdom of Ireland, " in conſequence of the addreſs of this houſe of the 11th of May laſt, and of " his majeſty's moſt gracious anſwer; and to have ſuffered the diſcontents " of that kingdom to riſe to ſuch an height, as evidently to endanger a diſſo- " lution of the conſtitutional connection between the two kingdoms, and to " create new embarraſſments to the public councils, by diviſion and diffi- " dence, in a moment, when real unanimity, grounded upon mutual con- " fidence and affection, was confeſſedly eſſential to the preſervation of what " was left of the Britiſh empire."

Lord Middleton ſeconded the motion, and repeated ſeveral inſtances of the inattention of the noble lord in the blue ribbon, and of his having ſet his face againſt

againſt the deſired relief to Ireland; he ſpoke of the part he had taken the two preceding ſeſſions reſpecting Iriſh affairs; that the firſt; they had been put off by mutual conſent, to be more fully inveſtigated the ſucceeding ſeſſion; and the laſt, when he had the honour to preſide in the chair of the committee, where ſome reſolutions, for the purpoſe of granting ſome ſmall favour to Ireland, paſſed without any conſiderable oppoſition; he ſaid, the noble lord, when he found the houſe in a temper to acquieſce, came down profeſſedly to defeat the meaſure, and threw out the bill on the ſecond reading.

The defence of adminiſtration was, on this occaſion, ably conducted. It was contended, that the diſtreſſes and miſeries of Ireland, could not with juſtice be attributed to the preſent, or any late miniſters; that her grievances exiſted many years before, in the general ſyſtem of trade laws; that the reſtrictions then laid on aroſe from a narrow, ſhort-ſighted policy, which, though conceived in prejudice, and founded on ignorance, was yet ſo ſtrengthened by time, and confirmed by the habits of a century, that it ſeemed at length wrought into, and become even a part of the conſtitution. That the prejudices on that ground were ſo ſtrong, both within the houſe and without, that the attempts made in the two preceding ſeſſions, only to obtain a moderate relaxation of the reſtrictions, with which Ireland was bounden, met with the moſt determined oppoſition: the few, who had undertaken that taſk, found themſelves obliged to encounter prejudice without, petitions and counſel at the bar, and to be at laſt overborne by numbers within the houſe. Thus miniſters were fully exculpated from the charge, that was brought againſt them; and it was demonſtrable, that they had no ſhare whatever in drawing on the calamities of Ireland: and it was as clearly evident, that it was not in their power to have afforded that timely redreſs to her grievances, a ſuppoſed or imputed neglect in which had been made the ground of ſo much ingenious, but unfounded, and, therefore, unjuſt invective. It was farther alledged, that it would have been highly unfitting, and might have been attended with obvious ill conſequences, for the Britiſh parliament to have at all entered upon the affairs of Ireland, until they were properly informed what the nature of her wants, and the extent of her demands were; as it was from theſe circumſtances only, that any true judgment could be formed as to the meaſure of relief, which it would be fitting to afford to that country. That now, by having convened the parliament of Ireland firſt, its ſentiments were properly brought forward, and came fairly within the cognizance of the Britiſh

legiſlature;

legiſlature; and all they had now to conſider was, how far it would be adviſeable to comply with the requeſts made by Ireland; and with what terms and conditions it might be thought proper to charge the favors granted. That the preſent miniſters, inſtead of being inimical to Ireland or inattentive to her intereſts, had been her beſt and warmeſt friends. That they had done more for her than all their predeceſſors during a century paſt. That not only the nation at large, but parliament, were till then adverſe from granting any conceſſions to Ireland, which could afford her either content or redreſs: and conſequently if any blame were due for not affording more early relief to Ireland, it was imputable only to the prejudices and temper of the people and parliament of England, and not by any means to the miniſters, who, as they had no ſhare in the cauſes of her diſtreſſes, were equally guiltleſs as to their continuance.

Theſe arguments were oppoſed by the ſupporters of the motion, who reprobated in terms of high indignation the imputation of prejudice laid to that houſe, by which miniſters (they ſaid) according to their eſtabliſhed, but daring practice, attempted to father all their blunders and miſdemeanors on parliament. They laughed at the pretended weakneſs and inefficiency with reſpect to the tranſactions of the houſe, which miniſters then affected, in order thereby to ſhield their own neglect with reſpect to Ireland. They however abſolutely denied, that the miniſter had been paſſive, neutral, or inefficacious as to the affairs of that country; on the contrary, they charged him with having taken a very active part in the buſineſs during the preceding ſeſſion. For a bill having been brought in to afford relief to Ireland by admitting the direct importation of ſugars for her own conſumption, and he having (as they ſaid) for ſome time ſuffered things to take their natural courſe in that houſe, the bill was accordingly coolly and deliberately canvaſſed and debated in all its parts, and by the ſtrength of its own intrinſic merit worked its way through repeated diviſions, until it had nearly arrived at the laſt ſtage of its progreſs. But at that inauſpicious moment, the miniſter having by ſome means been rouſed from his ſlumber, moſt unhappily reaſſumed his activity, and departing at once from that neutrality, which he had hitherto profeſſed, came down with all the power, and ſurrounded with all the inſtruments of office, in order to defeat the meaſure, and accordingly ſucceeded in throwing out the bill. That when the people of Ireland ſaw, that the miniſter had thus openly ſet his face directly againſt them, and found after, that every effort in their favor was rendered abortive by his influence or management,

ment, until they ſaw themſelves at length totally abandoned by the riſing of the Britiſh parliament, it was no wonder, that they ſhould become deſperate, and that they ſhould ſeek in themſelves for the means of that redreſs, which they found denied both to favor and to juſtice.

Miniſters, they ſaid, boaſted, that the diſtreſſes of Ireland had not originated with them; it could be readily admitted, that ſhe was not without grievances previous to the fatal period of their adminiſtration; but her immediate calamities ſprung principally from the ſame grand ſource of all thoſe general evils and dangers, from the American war. By that Ireland, like England, loſt a valuable part of her commerce, with leſs ability to ſupport the loſs, and the corrupt expences of a feeble government increaſed, as all the means of ſupplying them diminiſhed.

In this ſevere manner was the miniſter's defence treated by his opponents; but no part was handled with more ſpirit than the plea for not affording timely relief to Ireland, becauſe the parliament of that country was not then ſitting. The debates on this occaſion were long, various, and intereſting; but the queſtion being at laſt put, at a very late hour, the motion was rejected upon a diviſion by a majority of 173 to 100.

In the courſe of this debate moſt of the leading men in the commons delivered their ſentiments very fully; none more ſo than Mr. Burke. The people of Ireland, ſaid he,* have reaſoned fairly and juſtly: the colonies, they knew, had been offered the moſt, that their own moſt ſanguine expectations could aſpire to, a free trade with all the world. America, for her revolt, has had a choice of favors holden out to her. That was the reward of rebellion. Ireland, for her loyalty for almoſt a century, and her forbearance under accumulated oppreſſion and internal diſtreſſes, had been refuſed the mighty indulgence of importing her own ſugars. The Iriſh juſtly conceived, that their merit ought not to be imputed to them as demerit; and that the firſt principles of all good government would be departed from, if their deſerts were to be weighed in the political ſcale, as only entitling them to puniſhment, not reward. At all events, without taking any peculiar merit with the Britiſh government, for their loyal, faithful, and peaceable demeanour, they thought they were at leaſt entitled to meet the

* 15 Parl. Deb. p. 11.

colonies

colonies upon equal terms, and with equal expectations of favor and relief to thoſe, which America had ſpurned at with contempt.

Theſe were the grounds, on which the people of Ireland proceeded, when all hopes of redreſs from this ſide of the water had vaniſhed. What was the firſt reſolution they adopted? Like America, to conſume no more Britiſh manufactures. The next? To enforce this reſolution, by rendering it operative and extenſive, and for that purpoſe, entering into a non-importation agreement. What next? To arm and array themſelves to the number of forty thouſand men. What next? A parliamentary declaration, that nothing ſhort of a free trade could afford them effectual relief; and as the laſt act, in order to ſecure a due and faithful performance of what they claim, they paſs a money bill for ſix months. Miniſters have but ſix months credit with the parliament of Ireland. What then was the true ſtate of both kingdoms? Ireland inſiſting on a free trade, or determined to break off all political connexion with this country.

The noble lord had endeavoured to legalize the aſſociations in Ireland, with remarkable ingenuity, under the ſanction of two acts of parliaments. One of them was out of the queſtion, he believed, by any poſſible interpretation that could be put upon it [the bill of rights, as not extending to Ireland, we preſume] the other was, in fact, not leſs ſo. He meant the act paſſed in the Iriſh parliament in the year 1745, during the rebellion in Scotland. Did the noble lord mean to ſay, that by that act men had a right to arm themſelves, and elect their own officers? And that thoſe officers were legally commiſſioned to act without an authority from the crown? If he did, the idea was prepoſterous, and to the laſt degree abſurd, and as ſuch, he preſumed the noble lord had not expreſſed himſelf agreeably to his real intentions: the great diſpute, which brought on the civil war, and which had been ſo often between the king and parliament, and on which their diſputes at the commencement chiefly turned, was the very particular point then under conſideration, ſo far as it related to the aſſertions of the noble lord; and he believed it was a principle aſcertained by the conſtitution, and confirmed by poſitive law, that, let men be armed by the ſtate, or by themſelves, they cannot act or aſſemble but under a commiſſion from his majeſty. He had a moſt reſpectable authority to ſupport him in this opinion, no leſs than the lord chancellor of Ireland, Lord Lifford; who, when a vote of thanks was moved

and

and agreed to by the majority of the Houſe of Lords of Ireland, to the aſſociators of that kingdom, refuſed to give his aſſent, honeſtly ſtating his reaſons, that he could never join in a vote of thanks, as a peer of parliament or a lawyer, to any ſet of men, be their motives ever ſo laudable or patriotic, who were acting in a military capacity contrary to law.

Not only was Ireland at this time aſſociated in arms,* but united in principle; and a ſpirit of patriotiſm carried the people and their repreſentatives to one and the ſame object. Colonel Barré had faithfully depicted the real and well-founded conviction, under which that people were then acting; namely, †that it was their loyalty and affection, which encouraged miniſters to oppreſs and neglect them, ſo it was a proper ſenſe of thoſe oppreſſions and neglects, that produced their preſent reſentments, and had provoked them to arms. In neither houſe of the Britiſh parliament were the deſperate diſtreſs and calamity of Ireland even doubted: all were of accord as to the exiſtence of the evil: the only differences were, who had created, and who had countenanced or fomented, who had negatively or poſitively given continuance to it, and how was it then to be remedied.‡

In

* 15 Deb. p. 128.

† The volunteer uncommiſſioned army of Ireland was ſo extraordinary a phœnomenon in all its relations, that the opinions of the great ſtateſmen of that day upon it muſt be intereſting to every Britiſh ſubject. In the debate on Lord Oſſory's motion, Mr. Fox thus expreſſed himſelf upon the ſubject (15 Parl. Deb. p. 129). "The Iriſh aſſociations had been called illegal; legal or illegal he "declared he entirely approved of them. He approved of that manly determination, which, in the "dernier reſort, flies to arms in order to obtain deliverance. When the laſt particle of good faith "in men is exhauſted, they will ſeek in themſelves the means of redreſs; they will recur to firſt "principles, to the ſpirit as well as letter of the conſtitution, and they can never fail in ſuch re-"ſources, though the law may literally condemn ſuch a departure from its general and unqualified "rules, truth, juſtice, and public virtue, accompanied with prudence and judgment, will ever "bear up good men in a good cauſe, that of private protection.

"God knew, that he ſincerely lamented the cauſe, which produced this ſad, he could not but "ſay, this perplexing and humiliating alternative. He moſt heartily lamented that any cauſe had "been adminiſtered, which ſeemed to juſtify violence or reſiſtance; he dreaded the conſequences, "however juſtifiable in their origin, or moderately or judiciouſly conducted: but whatever the "effects might be, he was ready to acknowledge, that ſuch a power was inherent in men; as men "and citizens it was a ſacred truſt in their hands, as a defence againſt the poſſible or actual abuſe "of power, political treachery, and the arts and intrigues of government; and when all other "means failed, reſiſtance he ſhould ever hold as perfectly juſtifiable."

‡ Mr. Fox in his ſpeech on the debate upon Lord Oſſory's motion pointedly aſked, What was it that armed 42,000 men in Ireland with the arguments carried on the points of 42,000 bayonets?

In the Iriſh ſenate a new ſcene was opened, and the voice of patriotiſm re-echoed from each ſide of the houſe with equal ardor. Encouragement had been given to them by the gracious anſwer from the throne to the addreſs of the Houſe of Commons, communicated to the houſe on the 1ſt of November, 1779;* in which his majeſty aſſured them of his ſincere concern for the diſtreſſes of his kingdom of Ireland, of his affectionate attention to their intereſts, and of his conſtant readineſs to concur in ſuch meaſures, as ſhould upon mature conſideration appear moſt conducive to the general welfare of all his ſubjects. The parliament of Ireland now uſed ſerious exertions in behalf of their country; the Houſe of Commons, with a view of obtaining an enlargment of their commerce, ſpiritedly reſolved to grant the ſupply only for a ſhort period, and accordingly agreed to a ſix months money bill, which was tranſmitted to England, where, however mortifying to the miniſter, it reluctantly paſſed. The houſe likewiſe reſolved unanimouſly, "That the exportation from that kingdom of its woollen and other manufactures to all foreign places would materially tend to relieve its diſtreſſes, increaſe its wealth, promote its proſperity, and thereby advance the welfare of Great Britain, and the common ſtrength, wealth, and commerce of the Britiſh empire.

"That a liberty for that kingdom to trade with the Britiſh colonies in America and the Weſt Indies, and the Britiſh ſettlements on the coaſt of Africa, in like manner as trade is carried on between Great Britain and the ſaid colonies and ſettlements, would be productive of very great commercial benefits, would be a moſt affectionate mark of the regard and attention of Great Britain to our diſtreſſes, and would give new vigor to the zeal of his majeſty's brave and loyal people of Ireland, to ſtand forward in ſupport

The American war (15 P. D. p. 125) and (p. 127). "It was the general calamities of the empire, which had made Ireland poor; but it was the incapacity and negligence of government that had rendered her bold and daring. It was therefore incumbent upon parliament, to ſhew their fulleſt diſapprobation of that indolence and incapacity, and convince Ireland, that they are as ready as themſelves to reſent and puniſh the cruel and improper treatment, which ſhe has received from miniſters. Ireland would ſee by ſuch a conduct, that it was not this country, but its miniſters, who were blameable; which would, in his opinion, prove the ſureſt means of once more binding both countries in the ſtrongeſt and moſt indiſſoluble ties of friendſhip and affection. That, in his opinion, was the motive, which ought to operate with Britain at the preſent minute."

* Com. Journ. p. 17.

of

" of his majeſty's perſon and government, and the intereſt, the honor, and " the dignity of the Britiſh empire."

So determined was the Iriſh Houſe of Commons to aſſert their rights, and bring the Britiſh government and parliament into a full recognition of them, that on the 24th day of November the queſtion was put, that it be reſolved that at this time it would be inexpedient to grant new taxes, and it was carried in the affirmative by a majority of 170 to 47.* As ſoon after this diſpoſition of the Iriſh Houſe of Commons was known in England, as conveniency would permit, Lord Shelburne in the Britiſh Houſe of Peers, and Lord Oſſory in the Britiſh Houſe of Commons, made their motions; on which occaſion Mr. Fox afterwards obſerved,† his friends and he had openly, and without the leaſt degree of reſerve, given their thoughts on the ſubject, alledging, that although that motion had been unfortunate, yet it fully expreſſed the ſentiments of thoſe, with whom he had the honor to act.

On the 13th of November, 1779, the Britiſh Houſe of Commons being in a committee on the affairs of Ireland, Lord Drogheda in the chair, Lord North opened his three propoſitions relative to the allowing Ireland a free export of her wool, woollens, and wool flocks, a free exportation of glaſs, and all kinds of glaſs manufactures, and a freedom of trade with the Britiſh plantations on certain conditions, the baſis of which was to be an equality of taxes and cuſtoms upon an equal and unreſtrained trade. The miniſter ſtated in a ſpeech of conſiderable length, and with equal ability and knowledge of the ſubject, the propriety and juſtice, as well as the neceſſity, of affording relief to Ireland; and entered fully into her claims, as well with reſpect to her natural and inherent rights, as to thoſe ariſing from her particular connexion with Great Britain. He likewiſe expatiated largely on the mutual and reſpective intereſts of both countries, and very happily collected into one point of view, almoſt all thoſe queſtions of commerce and policy, that had been before agitated on this ſubject. He gave the following correct and intereſting hiſtory of the commercial reſtrictions of which Ireland ſo juſtly complained.

The commerce, import and export, was holden in common by both kingdoms, till the reign of Charles the Second. Even the Act of Naviga-

* 10 Com. Journ. p. 34.

† Viz. on the 13th of December, when Lord North brought forth his three propoſitions, 15 Par. Deb. p. 187.

tion, the great foundation of our plantation laws, put England and Ireland upon exact terms of equality; nor was it till two years after the firſt commercial reſtriction was laid on Ireland, and that not directly, but by a ſide wind, and by deductive interpretation. When the act firſt paſſed, there was a general governing claufe, for giving bonds to perform the conditions of the act; but when the act was amended, in the 15th of Charles the Second, the word Ireland was omitted, whence a concluſion was drawn, that the acts of the two preceding parliaments, twelfth, thirteenth, and fourteenth of Charles the Second, were thereby repealed, though it were as clearly expreſſed in thoſe acts, as it was poſſible for words to convey, that ſhips built in Ireland, navigated with the people thereof, were deemed Britiſh, and qualified to trade to and from the Britiſh plantations; and that ſhips built in Ireland, and navigated with his majeſty's ſubjects of Ireland, were entitled to the ſame abatement and privileges, to which importers and exporters were entitled by the book of rates. Ireland was, however, omitted in the manner he had mentioned. The giving bond being omitted in the act of the fifteenth of the ſame king, the very condition, which was to give it a general operation, namely, confining the liberty to trade only with Great Britain and Ireland, and veſting the power in Ireland to trade with the colonies on the ſame footing as England, having been left out, Ireland was thereby as much excluded from trading with the Britiſh colonies as France, Spain, or any other ſtrange nation, in the way of a direct export or import trade, except in a few inſtances, which were by ſubſequent acts declared exceptions to the general rule, ſuch as the export of ſervants, horſes, and victuals; and in the reign of King William, of linen, and ſome few enumerated articles ſince that period.

There were anecdotes ſtill extant, relative to the real cauſes of thoſe harſh and reſtrictive laws. They were ſuppoſed to have originated in a diſlike or jealouſy of the growing power of the then Duke of Ormond, who from his great eſtate and poſſeſſions in Ireland, was ſuppoſed to have perſonal intereſt in the proſperity of that kingdom. Indeed, ſo far was this ſpirit carried, whether from perſonal enmity to the Duke of Ormond, from narrow prejudices, or a blind policy, that the parliament of England paſſed a law to prohibit the importation of Iriſh lean cattle.

The wool export and woollen manufactures ſtill remained in the poſſeſſion of Ireland to reſtore, which was the object of this preſent motion. In 1692, from

from jealouſy, or ſome other motive, the two houſes of the Engliſh parliament addreſſed the crown, recommending a kind of compact between both kingdoms, the terms of which were, that England ſhould enjoy the woollen manufacture excluſively, and Ireland the linen. If, however, ſolemnly this compact were obſerved by the latter kingdom, the truth was, that England carried on the linen manufacture to full as great an extent as Ireland, while the monopoly of the woollens remained totally with England. The firſt ſtep Ireland took in conſequence of this compact, was to lay an export duty upon wool and woollens of all kinds equal to a prohibition; and when the act expired, for it was but a temporary one by way of experiment, the Britiſh parliament, without conſulting that of Ireland, by the 10th and 11th of William the Third, paſſed a ſimilar act, and made it perpetual. That was the act, which at once put an end to the woollen trade of Ireland. The next act was a law of the fifth of George the Firſt; the next the fifth and twelfth of the late king, which laſt went ſo far even, as to prohibit the export of a kind of woollen manufacture called wadding, and one or two other articles excepted out of the tenth and eleventh of King William; but theſe three laſt acts ſwept every thing before them.

His lordſhip next proceeded to ſtate ſome facts relative to the trade of that country. He ſaid, upon an average of the ſix years from 1766 to 1772, the export of Ireland was ſomewhat more than two millions; and in the ſucceeding ſix years, ending in 1778, about as much more, one half nearly Britiſh manufacture or produce, the other half certificated articles, of which this country was the medium of conveyance, out of the native produce, which was ſomething more than 900,000*l.* per annum, on the average, only 200,000*l.* were woollens; ſo that in this light, ſuppoſing every thing, that any man could wiſh to conclude from the fact, he ſubmitted to the houſe, whether it would be ſound policy to riſque a million export of native produce for a woollen export of 200,000*l.*

He then turned to reconſider the ſtate of the linen trade, which, however proſperous it might appear, was ſtill capable of great improvement. It was a pamphlet written by the celebrated Sir William Temple, that firſt ſuggeſted the idea of extending and improving the manufacture of Ireland, and gave riſe to the compact, which he had alluded to. It was an opinion, which prevailed with many, he believed, that as the compact was now to be diſſolved, ſhould the Iriſh be permitted to enjoy a free export of woollens, that the bounties

bounties paid on the importation into England of certain ſpecies of fabrics of Iriſh linens, ought to be diſcontinued. In this he ſhould differ greatly from gentlemen, who might reaſon in that manner, and he would ſupport his difference of opinion by the following authentic documents, which he had in his hand.

From thoſe it appeared, the number of yards of linen manufactured for foreign conſumption, or exported in the year 1751, was twelve millions; the next year the Britiſh bounty was diſcontinued, and it fell to ten millions; in 1756 it was no higher than eleven millions; and in the next year, 1757, when the bounties were again granted, the number of yards entered for exportation, ſuddenly roſe to fifteen millions, and ſo continued to increaſe for ſeveral years ſo high, he believed, within a period of fifteen years (1771) as to amount to twenty-five millions of yards.

This was ſufficient ground for him to conclude, that the Britiſh bounty operated as a great encouragement. It was not a large ſum that was appropriated for this purpoſe, the whole not being, in the higheſt year, above 13,000*l.* or thereabouts. He ſaid that a trade with our colonies, of any kind or of any extent, from Ireland, muſt be conſidered as a matter of favor to that kingdom. Conſidering her even as an independent ſtate, ſhe could ſet up no claim to a commercial intercourſe with the Britiſh colonies. Theſe colonies had been ſettled, eſtabliſhed, and raiſed to the preſent ſtrength and opulence, by the blood, treaſure, and induſtry of Great Britain. By every principle of juſtice, of the law of nations, and the cuſtom of the other powers of Europe who had ſettlements and diſtant dependencies, the mother country had an excluſive right to trade with, and to forbid all others from having any intercourſe with them. Such an excluſive right was of the very eſſence of colonization; for what nation under the ſun would ſpend their blood and treaſure in eſtabliſhing a colony, and protecting and defending it in its infant ſtate, if, after, other nations were to reap the advantages derivable from their labour, hazard, and expence?

The colony trade laws, ſo far as they related to Ireland, were full of reſtrictions, though, as he had more than once obſerved, the colony trade was open before the 15th, 22d, and 23d of Charles II. in which the word Ireland was omitted; after that period, ſeveral ſtatutes were paſſed, ſome general, others particular, to reſtrain, and in many caſes to prohibit, the trade of Ireland with America and the Weſt Indies. By the act laſt mentioned of Charles

Charles II. 7th and 8th William III. 3d and 4th Ann, chap. 5 and 10; 8th Geo. I. 4th Geo. II. and 4th Geo. III.

By theſe ſeveral acts, the following articles, being the growth, product, or manufacture of any Britiſh plantation in Africa, Aſia, or America, cannot be imported into or landed in Ireland, except they are firſt landed in Great Britain, viz. ſugar, tobacco, cotton, wool, indigo, ginger, fuſtic or other dying woods, ſpeele or Jamaica wood, rice, molaſſes, tar, pitch, turpentine, maſts, yards and bowſprits, beaver ſkins and other firs, copper ore, coffee, pimento, cocoa-nuts, whale-fins, raw ſilk, hides and ſkins, pot and pearl aſhes, and gum Senegal. But by the acts of the 4th of George II. and 7th of Geo. III. all other goods (except hops) of the growth, product, or manufacture of the Britiſh plantations, may be imported from thence into Ireland, in Britiſh ſhipping, whereof the maſter and three fourths of the mariners are Britiſh.

By the 15th of Charles II. and 7th of William III. his lordſhip obſerved, that goods, the product of Europe, cannot be imported into any Britiſh plantation, unleſs ſhipped in Great Britain, and carried directly from thence in Britiſh-built ſhipping, except ſalt for the fiſheries, horſes, and victual and linen cloth from Ireland, proviſions and implements for the fiſheries, cloathing and accoutrements for the army, and other articles of manufacture permitted to be exported from thence into the Britiſh plantation, by the 3d and 4th of Ann, 3d of George I. 15th and 18th of George III.

His lordſhip enumerated ſeveral other acts, of the ſame tenor, directed to particular articles of import and export, not neceſſary to be particularly mentioned, but all framed upon the ſame principle. Having laid down theſe premiſes, as the foundation on which he was to reſt his intended propoſition, he declared that in his opinion, it was the intereſt, and conſequently the duty, of Great Britain, to do every thing in her power, which might promiſe to advance, promote, and extend, the intereſt and commerce of Ireland, upon the broadeſt and moſt extenſive ground and firmeſt baſis; and as one of the moſt certain means of rendering that country uſeful to herſelf, and truly valuable to this, would be to open new ſources of commerce to her, and ſuch as it would be impoſſible for Ireland to obtain without the liberality and indulgence of this country, though ſhe had been totally an independent nation. This he ſaid would prove the only wiſe and prudent means to afford our ſiſter kingdom relief, and that ſpecies of relief, too, that would ſerve more to convince her of the ſincere and affectionate deſire we have to render her happy,

happy, contented, rich, and proſperous. It would be an unequivocal proof of the candour and ſincerity of Great Britain, and he made no doubt but Ireland would receive it as ſuch, and that the whole would have a happy termination.

He condemned local prejudices and national partialities, very warmly; though under different legiſlatures, he maintained that Great Britain and Ireland had but one conjugal intereſt, and were in the genuine ſenſe of the phraſe but one people. He acknowledged that Great Britain ought to be no ſufferer by her bounty to Ireland. The latter would, it was certain, gain much, but this country would be no loſer. But even if the ſiſter kingdom ſhould be enabled to rival us at foreign markets, in a few commodities of native growth, cheapneſs of labour, and other incidental circumſtances, we ſhould not forget that Ireland formed a part of the Britiſh empire, and the only part too out of this iſland to which we could look for aſſiſtance in the moment of peril or diſtreſs. He wiſhed every perſon out of it, who turned his thoughts to the ſubject, would look at it fairly, and conſider it without partiality or prejudice, not upon a narrow or contracted, but upon a liberal and extenſive ſcale. It was a duty every man owed his country, to look attentively and gravely to our preſent ſituation, and to reflect, that as the ſuperlucration of all the commerce of Ireland, let it ariſe from the profit of which branch of trade it might, would neceſſarily centre in the ſeat of empire; if not the whole, at leaſt much the greateſt part, and might be well eſtimated as forming a part of the accumulating wealth of Great Britain.

Such was the happy temper now prevailing, that no oppoſition was given to theſe reſolutions, the firm meaſure of a ſix months money bill; the non-importation agreement and the armed aſſociations had produced a wonderful change in the public mind throughout Great Britain with reference to the affairs of Ireland. Bills founded on the two firſt propoſitions were accordingly brought in, paſſed both houſes with the utmoſt facility, and received the royal aſſent before the receſs. The third being more complex in its nature, requiring a variety of enquiry, and being ſubject to ſeveral limitations and conditions, was ſuffered to lie over during the enſuing holidays in its ſtate of an open propoſition, not only to afford time for conſideration in England, but for acquiring a knowledge of the effect, which the meaſure was likely to produce in Ireland.

To ſuch an alarming criſis was the political ſtate of Ireland now brought, that

that the people began to look up to the armed aſſociation for redreſs, rather than to their repreſentatives in parliament. But hitherto, theſe bodies having acted only in detached companies, knew not their own ſtrength. They found it neceſſary for their grand project, to form themſelves into regular battalions, and eſtabliſh a ſyſtem of communication with each other. Long had the original cauſe, or occaſion of the volunteers arming in ſelf defence againſt a foreign enemy, been ſunk into the more intereſting object of aſſerting their conſtitutional independent rights, and procuring a free and open trade for their country. As far back as at the cloſe of the year 1778, the armed aſſociations in Ireland were computed to amount to 30,000 men: and they had been increaſing from that period: they clad and armed themſelves voluntarily; they chearfully learned the uſe of arms, and freely ſubmitted to the moſt exemplary diſcipline: but their tranſcendent attention was to inſtil into each other an uniformity of political ſentiment and determination not to quit their arms, till they ſhould have accompliſhed the complete liberation of their country from the ſovereignty of the Britiſh parliament. In the beginning of the year 1780, they entered upon the plan of general organization: they appointed reviews for the enſuing ſummer; and choſe their exerciſing officers and reviewing generals; and thus the foundation of Iriſh union was laid. They now openly declared their opinions upon the ſtate of public affairs; and the newspapers teemed with reſolutions of the different corps, all in uniſon declaring, that Ireland was an independent kingdom, and fully entitled to all the uncontrouled rights, privileges, and immunities of a free conſtitution: that no power on earth but the king, lords, and commons of Ireland, could make laws to bind them: and that they were ready with their lives and fortunes to reſiſt the uſurpations and encroachments of any foreign legiſlature. Such were at this period the univerſal ſentiments of the Iriſh people, if the will of a people can be known. The government, and their parliamentary majority, were alarmed at, and conſequently inimical to the propoſitions. Mr. Grattan, however, on the 19th of April, 1780, after a moſt animated ſpeech, moved, that the houſe ſhould reſolve and enter on its journals, "*That "no power on earth, ſave the king, lords and commons of Ireland, had a right "to make laws for Ireland.*" After a moſt intereſting debate, that laſted till ſix o'clock in the morning, in which every man but one, acknowledged its truth, either expreſsly, or by not oppoſing it, Mr. Flood, who well knew that the miniſterial members were committed to negative the motion, if it

came to a diviſion, recommended, that no queſtion ſhould be put, and no appearance of the buſineſs entered on the journals; to which Mr. Grattan conſented.

Upon the appearance of ſome active ſincerity in the Britiſh cabinet and parliament, the Iriſh Houſe of Commons proceeded to take into ſerious conſideration, the regulations neceſſary to place the commerce of that kingdom on a footing of ſtability and advantage. It is characteriſtic to that nation, to be prodigally grateful for benefits even intended. The ſupplies were granted for a year and a half longer; and 260,000*l.* were ordered to be raiſed by treaſury bills, or by a lottery, as the lord lieutenant ſhould direct.* On preſenting the money bills, to which his excellency gave the royal aſſent, Mr. Pery, the ſpeaker of the Houſe of Commons,† made a ſpeech to the lord lieutenant, which

* This was the firſt time that the expedient of a lottery, to aid the raiſing of the loan, was reſorted to in Ireland. Two hundred thouſand pounds being wanted, a lottery, conſiſting of 42,000 tickets, was propoſed, 40,000 of thoſe were paid for at five pounds each; and one ticket given as a douceur, to every ſubſcriber for twenty. Debentures, bearing intereſt at four per cent. for 210,000*l.* were ordered to be made out for the payment of the prizes; and it being neceſſary to borrow 140,000*l.* more, treaſury bills, for the firſt time, were ordered to be iſſued, at an intereſt of three-pence per day for each 100*l.* being 4*l.* 11*s.* 3*d.* per cent. per annum.

† 10 Journ. Com. p. 142. The ſpeech was to the following effect:

"The Right Honourable Mr. Speaker's Speech to his Excellency John Earl of Buckinghamſhire, "Lord Lieutenant General, and General Governor of Ireland.

"MAY IT PLEASE YOUR EXCELLENCY,

"During the viciſſitudes of a foreign, and ſtill more dangerous, civil war, "which has waſted a great extent of the Britiſh empire, it has been the peculiar felicity of this na- "tion to preſerve the public tranquillity: and though long depreſſed by the narrow policy of for- "mer times, ſtill to retain ſuch vigor, and at the ſame time ſuch temper and caution, as animated "it to claim, with honeſt confidence, its rights; and yet reſtrained it from tranſgreſſing the bounds "of its duty, or hazarding the loſs of that ineſtimable bleſſing, the Britiſh conſtitution. To this "ſtate of union and moderation, unexampled in any age, or in any country, under ſimilar cir- "cumſtances; to your excellency's judicious conduct and faithful repreſentations; to his majeſty's "benevolent diſpoſition and tender concern for the ſufferings of his people; to the wiſdom of his "miniſter, however queſtioned in ſome inſtances, in this acknowledged by all; to his reſolution "and conſtancy in combating eſtabliſhed habits and rooted prejudices; and to the juſtice and ge- "nerofity of the Britiſh nation, muſt be aſcribed the happy reſtoration of that equitable ſyſtem of "equality in commerce, which has ſilenced, I truſt for ever, thoſe pernicious ſuſpicions and jea- "louſies, which lately threatened the peace of both kingdoms. But, whatever advantages this "change in our condition may promiſe, it will avail us little if it inſpires falſe hopes and vain ex-

pectations

which was highly ſatisfactory to all parties, for which the houſe thanked him, and deſired him to print it.

Notwithſtanding the general elation of the Iriſh upon the flattering proſpect of a free trade, their joy was but of ſhort duration: upon maturer conſideration, the generality of the commercial intereſt in Ireland was diſſatisfied with the propoſed ſyſtem of equalizing the duties between the ſiſter kingdoms, and the Britiſh miniſtry was ſo imprudent at that time, as to irritate and inflame the diſtruſt and diſaffection, that had ſo long rankled in the public mind of Ireland, which then, with arms in her hands, had earneſtly turned her thoughts to the aſſertion of her independent conſtitutional rights. The bill for puniſhing mutiny and deſertion in the army for a limited time, had been tranſmitted, as uſual, and was returned with the moſt alarming alteration from the Engliſh privy council: it was made *perpetual:* and very material alterations were alſo made in one of the commercial bills relating to the article of ſugars. Provocation and harſhneſs to Ireland were now peculiarly ill-timed. Diſcontent and reſentment ran through the kingdom. The borough of Newrey preſented a petition to the Houſe of Commons, ſtating, that the petitioners had heard with deep concern of alterations then ſaid to have been made in the bill for laying a duty of twelve ſhillings per hundred weight on imported refined ſugars; and alſo in the bill for the better regulation of the army: that the duty of twelve ſhillings appeared to be the loweſt, that could poſſibly be admitted, with the appearance of juſtice to that country; and that a perpetual bill for the regulation of the army, or of any other duration than from ſeſſion to ſeſſion, was a daring attack on the conſtitution of both coun-

" pectations of ſudden affluence; the future proſperity of this kingdom will depend upon our in-
" duſtry and œconomy, public as well as private, the effects of which, though certain and perma-
" manent, are ever gradual and ſlow; and unleſs our expences are regulated by our acquiſitions,
" diſappointment will be our portion, and poverty and diſtreſs muſt be the conſequence of our con-
" duct. Notwithſtanding theſe conſiderations, and the reduced ſtate of this kingdom, the com-
" mons have granted to his majeſty much larger ſupplies than in any former ſeſſion; they have
" borrowed a ſum of 610,000*l.* to diſcharge the arrears of the eſtabliſhments; and in order to pro-
" vide againſt any future deficiency, they have made an addition to the revenue, eſtimated at above
" 150,000*l.* a year. Nor have they been leſs attentive to the intereſts of the people, than to the
" honor of the crown. The public good has been the object to which all their efforts have been
" directed; and their conduct through the whole of this ſeſſion, has alike entitled them to the
" confidence of their ſovereign, and of their conſtituents; and will leave to all future parliaments
" a memorable and inſtructive example of fortitude, moderation, and wiſdom."

tries. That they humbly prayed, that, by an equal diſtribution of juſtice, the mutual cordiality between Great Britain and Ireland might be enſured; and the neceſſity for that country to reſolve to conſume her own manufactures only, might be removed; and that a parliamentary army might be maintained in Ireland, regulated upon principles ſuch as Great Britain could approve of, and Ireland ſubmit to. Several other petitions were alſo preſented to the like purport.

On the 16th of Aug. 1780, the Houſe of Commons reſolved itſelf into a grand committee, to take into conſideration the altered mutiny bill. It was contended, in ſupport of that meaſure, that if parliament had an intention to preſerve the peace of Ireland, they muſt paſs the bill in its preſent ſtate. That as long as parliament held the purſe of the nation, they could, by refuſing to pay, annihilate the army. That the hereditary revenue never could be applied to the payment of the army, becauſe it would deſtroy itſelf in the very ends it ſhould be employed for. That if the king were granted the liberty of raiſing an army, he ſhould alſo have the perpetual power of regulating that army.

On the other ſide it was argued, that the preſent bill tended to the ſubverſion of all public liberty. That it would not be wiſe to grant to the crown a dictatorial power over fifteen thouſand men for ever. That it was the wiſh of the kingdom to be governed by its own laws. That they conſidered the power of originating this very act as a declaration of rights: they were conſequently contending with the miniſter of Great Britain, not for any conceſſion, which might wound the intereſt or pride of the Engliſh, but for a meaſure, which would bring every man in Britain on their ſide, as they could not wiſh to ſee the power of the crown rendered ſo dangerous to the conſtitution of both kingdoms, with a perpetual army, which might inveſt his majeſty with too great an influence over the laws; and that any articles of war, which the king might hereafter make, would be articles of war for that kingdom; for the act extended a power over all his majeſty's forces, by which means Ireland would be under the controul of an Engliſh ſtatute, and the kingdom would become a place of arms.

The debates on this ſubject continued till near midnight. Sir Henry Flood took a principal part on the ſide of government, who carried the queſtion by a majority of 69 againſt 25, and the bill was paſſed. This, together with the circumſtances reſpecting the ſugar bill, increaſed the public diſcontent; and

ſeveral

ſeveral reſolutions were entered into at different public meetings, that were aſſembled on this occaſion. Amongſt others, a meeting of the merchant's corps of volunteers was convened at the Royal Exchange, Dublin, when the following reſolutions were paſſed, and ordered to be printed in the public papers.

" *Reſolved*, That the late deciſions of the Houſe of Commons, (ſo de-
" ſtructive, in our opinion, to the conſtitutional rights, and injurious to the
" commercial intereſts of this kingdom,) demand the moſt ſerious attention
" of every Iriſhman.

" *Reſolved*, That we conſider their conſent to the mandate of the Britiſh
" miniſter, by which the bill for the regulation of the army is made perpe-
" tual, and the controul thereof for ever veſted in the hands of the crown, as
" a ſubverſion of the conſtitution, and a ſtab to the liberty of the ſubject.

" *Reſolved*, That conſidering the army of this kingdom as a body of men
" embarked in the cauſe of their country, and equally entitled with ourſelves
" to the protection of its legiſlature, we cannot but feel for their ſituation;
" who, by this law, are in danger of being made, at a future day, the unwill-
" ing inſtruments of deſpotiſm, to violate the liberties of Ireland.

" *Reſolved*, That we conſider the compliance of that houſe with the altera-
" tion made in the ſugar bill by the Engliſh privy council, reducing the
" propoſed duty on lump ſugars, as an overthrow to the refinery of this
" kingdom, and a total obſtruction to the extenſion of its manufactures, by
" an export to the Britiſh colonies and Weſt-Indies.

" *Reſolved*, That we will concur with the volunteer corps of this kingdom,
" and the reſt of our fellow ſubjects, in every effort which may tend to avert
" the dangers we are threatened with.

" *Reſolved*, That the ſtrenuous, though unſucceſsful efforts, of the mino-
" rity of the Houſe of Commons, in defence of the conſtitution, merit the
" thanks and firm ſupport of every friend of his country."

Similar reſolutions were entered into by other volunteer bodies, particularly the Independent Dublin and Liberty Corps; as alſo by the citizens of Dublin in general.

The language now holden by the popular prints, beſpoke at once, as well as increaſed the general and inveterate diſcontent of the people. The *Hibernian Journal, or Chronicle of Liberty*, and *The Public Regiſter, or Freeman's Journal*, were peculiarly obnoxious to government. The Houſe

of

of Commons paſſed a vote of cenſure againſt the printers and publiſhers of theſe two papers,* and addreſſed the lord lieutenant to give orders for effectually proſecuting the printers and publiſhers, and alſo the authors and contrivers of certain articles in thoſe papers. The former contained the reſolutions of ſeveral corps of volunteers, and others: the latter gave peculiar offence, by the publication of the following paragraphs:

"We are happy to find, that a general meeting of the independent mer-
"chants and volunteers of this city is fixed for Tueſday evening next, at the
"Muſic Hall. It is hoped, that their ſpirit and example may animate the
"kingdom to riſe in ſupport of the violated rights of Ireland; and that the
"nation may be reſtored by their means to thoſe inherent privileges, which
"their treacherous repreſentatives have baſely ſold to the infamous admini-
"ſtration of Great Britain."

"It is thought, that the meaſures, which will be adopted on Tueſday next,
"by the merchants and volunteers, will be directed to effect the deſtruction
"of the betrayers of our excellent conſtitution; and as it is feared, that the
"Muſic Hall will not be large enough to contain them, it is expected that
"the next meeting will be in the Park, or in St. Stephen's Green."

Whereupon it was

Reſolved, nem. con. "That the ſaid paragraphs contained matters that are
"falſe, ſcandalous, ſeditious, and libellous, groſsly aſperſing the proceedings
"of parliament, and moſt manifeſtly tending to create diſcontents among his
"majeſty's ſubjects, to withdraw them from their obedience to the laws of
"this realm, and to ſubvert the authority of the legiſlature of this kingdom."

This vote of cenſure was not ſo much directed againſt the printers and publiſhers, as it was aimed by the miniſtry at the volunteer corps, whoſe ſyſtem and influence had become truly alarming to government. Yet ſuch was the aſcendancy, which the armed aſſociations then commanded over the minds of their countrymen, that it was found more prudent not to caſt a direct cenſure upon, or even ſhew a diſregard to any of thoſe corps.

No nation on earth enters into a cauſe with more eagerneſs and cordiality than the Iriſh: no nation ſets a higher value upon works of genius: none delights more in reading, hearing, and diſcourſing upon the polical events of their own country. During (what Lord Clare called) the imbecility of

* 10 Journ. Com. p. 195.

Lord

Lord Buckinghamſhire's adminiſtration, the popular mind was worked up to a degree of enthuſiaſm upon their rights and claims to uncontrouled civil freedom and independence: ſeveral publications helped to quicken and extend this flame: the letters, under the ſignatures of *Owen Roe O'Niel*, and *Guatimozin*, were diſtinguiſhed by their boldneſs of thought and expreſſion; by a warmth of patriotiſm, and a caſt of original genius, peculiarly adapted to the general, as well as peculiar diſpoſition of the Iriſh people at that juncture. A pamphlet, attributed to Mr. Grattan, containing great part of the ſubſtance of that great orator's ſpeech on the 19th of April, in the Houſe of Commons, againſt the right of foreign legiſlation, and the unconſtitutional clauſe of perpetuity in the mutiny bill, was read with avidity, and circulated with aſtoniſhing effect. The people were on one hand encouraged by theſe publications to inſiſt upon their independence; and on the other they were goaded into foreneſs and irritation, by the determined oppoſition given in parliament to the different attempts made to bring it to bear: thus were they incenſed at Mr. Grattan's reſolutions againſt foreign legiſlation not finding admiſſion to the journals: they were provoked at Mr. Yelverton's failure in procuring a modification of Poyning's law: and irritated at the ineffectual effort of Mr. Forbes, to procure a bill for the independence of the judges. They were, in a word, deſperate in the conviction, that a majority in their own parliament was purchaſed with the wealth of Ireland, to negative every queſtion or motion, that could tend to promote their independence upon the parliament of Great Britain.

The ſeſſion had been protracted to an unuſual length: on the 2d of September, 1780, Lord Buckinghamſhire put an end to it, by a moſt gracious ſpeech from the throne. He had on the preceding day been addreſſed in a very adulatory ſtyle by the commons; and the return of the incenſe appears upon the face of his addreſs to both houſes of parliament.

"My Lords and Gentlemen,

"I am happy at length to congratulate you on the conclu-
"ſion of this ſeſſion of parliament, though the important meaſures under
"deliberation muſt have made your attendance leſs irkſome to you.

"If your long abſence from your ſeveral counties has been productive of
"any inconvenience, ſuch inconvenience is fully compenſated by permanent
"and ſolid benefits, the ſucceſsful conſequences of your labours."

"Gen-

" GENTLEMEN OF THE HOUSE OF COMMONS,

" I thank you in his majeſty's name, for the liberal ſup-
" plies you have granted: your chearfulneſs in giving, and your attention to
" the eaſe of the ſubject in the mode of raiſing them, muſt be very acceptable
" to his majeſty: on my part, I aſſure you, they ſhall be faithfully applied."

" MY LORDS AND GENTLEMEN,

" THE ſatisfaction, with which the heart of every Iriſh-
" man muſt exult, at the fair ſcene of proſperity now opening to his country,
" may equal, it cannot exceed the glow of my private feelings; and whilſt
" you applaud the conduct of Great Britain in removing the reſtrictions upon
" the trade of this kingdom, you cannot but particularly acknowledge the
" unequivocal demonſtrations of her ſincere affection in admitting you upon
" the moſt liberal plan, to an immediate, free and equal intercourſe with her
" colonies.

" The wiſe and ſalutary laws, which you have framed, naturally lead to the
" moſt beneficial enjoyment of that intercourſe; and when I reflect on thoſe
" great objects, and on your meritorious attention to the trade, agriculture
" and manufactures of this kingdom, ſo conſpicuouſly manifeſted by the
" laws paſſed for granting ample bounties on the export of your corn,
" your linen, and your ſail cloth, by the premiums for encouraging the
" growth of hemp and flax ſeed, and by the judicious proviſions for the bet-
" ter regulation of your manufactures, I feel a conſcious ſatisfaction, that the
" commerce of this kingdom has been eſtabliſhed upon an extended, firm,
" and laſting baſis; and that Ireland muſt, in the courſe of her future proſ-
" perity, look back to this æra, the labours of the preſent parliament, and
" the diffuſive indulgence of his majeſty, with a moſt grateful veneration.

" Your own diſcreet judgment will naturally ſuggeſt the expediency,
" when you return to your ſeveral counties, of impreſſing upon the minds
" of all ranks of men the various bleſſings of their preſent ſituation. De-
" monſtrate to them, that every effectual ſource of commercial wealth is now
" their own, and invites that induſtry, without which the wiſeſt commercial
" regulations remain a dead letter, and the bounties of nature are laviſhed in
" vain. Cheriſh ſuch a ſpirit of induſtry, and convince them of the eſſential
" advantages they derive from their free and excellent conſtitution, the main-
" tenance of every branch of which in its juſt vigor and authority, can alone
" ſecure their liberties, and preſerve their happineſs."

Thus

Thus ended a ſeſſion, that had vainly promiſed in its opening the brighteſt proſpects to Ireland. The diſappointed people felt, and expreſſed their reſentment.

At many of the different reviews, which afterwards took place, the volunteers expreſſed their political ſentiments, and freely condemned the conduct of parliament. They were, however, far from being unanimous. They were not yet as completely united in ſentiment, as they were drilled to the uſe of arms. It was Lord Buckinghamſhire's fate to be diſapproved of by the miniſters of England, as well as to have diſſatisfied the people of Ireland. The power of the volunteers had infuſed real fear into the Britiſh adminiſtration: they trembled, and condemned Lord Buckinghamſhire for effects, which it was not in his power to prevent; and which, in fact, were to be immediately traced up to their dilatory, irreſolute, and pernicious councils. Lord Buckinghamſhire was recalled, and Lord Carliſle* was appointed in his ſtead on the 23d of December, 1780.

In the dearth of hiſtorical documents of the affairs of Ireland during the latter end of Lord Buckinghamſhire's adminiſtration, there is an advantage in being able to reſort to a very intereſting and delicate repreſentation made by the moſt eminent ſtateſman in the Britiſh parliament, of the early ſpirit, conduct, and conſequences of the Iriſh volunteers, before they had formed themſelves into that compact and formidable body under Lord Charlemont, by means of which was brought about the Iriſh revolution of 1782, which according to Mr. Burke† *moſt intrinſically and ſubſtantially reſembled the Engliſh revolution of* 1688.

‡On February 23d, 1781, Mr. Jenkinſon (now Earl of Liverpool), ſecretary at war, moved in the Britiſh Houſe of Commons, that the order of the day for the further conſideration of the report on the Mutiny Bill be read; when Mr. Fox roſe agreeably to his intimation to the houſe, to move for the re-

* Lord Carliſle took over with him as ſecretary, his protégé and friend Mr. Eden, (now Lord Auckland) who had publiſhed ſeveral letters upon political ſubjects to his patron; and amongſt others, one on *The Repreſentations of Ireland reſpecting a free trade*, of which of Mr. Dobbs, in his *Hiſtory of Iriſh Affairs*, p. 42) writes thus: "From a letter written by Mr. Eden, the ſecre-" tary to Lord Carliſle, on the ſubject of Iriſh affairs, and which had been anſwered by Counſellor " Richard Sheridan, we had no great reaſon to rejoice in this change."

† Letter to Lang. p. 46.

‡ 1 Parl. Deb. p. 522.

commitment of that bill,* for the purpoſe of correcting a very material and important alteration, that had taken place in it. He began his ſpeech with ſtating, that if he had not been ſenſible of the difficulty and delicacy of his ſituation in the queſtion, which he was about to agitate, the obſervation that had fallen from a gentleman high in office, and an old well-informed member of that houſe, would have opened his eyes, and convinced him, that he was treading upon ground at once difficult and dangerous. The honorable gentleman had ſaid, that the houſe ought not to attempt to do that, which it could not fully and perfectly accompliſh, and had adviſed them rather to overlook the attack upon their dignity, by the preſentment of a frivolous petition, than attempt a puniſhment, which they could not enforce. This was his ſentiment, it was at all times ſo, ſince he conſtantly was of opinion, that prudence ought at all times to be conſulted in meaſures of dignity, and that they ought not to aſſert powers of authority at a ſeaſon when from weakneſs they were unable to ſupport their claim. To agitate a queſtion therefore reſpecting the powers of ſupremacy and ſuperintendancy, which this country aſſerted over a ſiſter kingdom, at a time when that kingdom was diſpoſed to militate the principle, muſt certainly be dangerous ground, and particularly ſo at a moment, when the country was involved in a ſcene of complicated calamities, and was threatened with the moſt deciſive ruin. He truſted that the houſe would forgive him, if, in the ſituation he then ſtood, he ſhould take up a few minutes of their time in ſtating his ſentiments of the queſtion;

* 1 Parl. Deb. p. 433. Mr. Jenkinſon, ſecretary at war, informed the houſe, that there were ſome alterations made in the Mutiny Act, two of which being material, he thought it right to ſtate what they were, as no alterations ought to be made in an act of ſo much importance, without the concurrence of the houſe. The firſt alteration was the total omiſſion of the word "Ireland," in the act, an omiſſion, which the learned gentleman appointed to draw up and prepare the bill had judged proper, becauſe the Iriſh legiſlature had laſt year introduced clauſes in their Mutiny Act, tending to govern and regulate the management of the quartering of ſoldiers, and other matters relative to military diſcipline, when at a diſtance from the capital; the continuing to extend the Britiſh Mutiny Act to Ireland was therefore no longer neceſſary.

Sir George Yonge ſaid, that what the ſecretary at war had dropped concerning the omiſſion of the word "Ireland" in the bill, appeared to him to be of very ſerious importance, and required very mature conſideration before it was agreed to. If it was intended, that this country ſhould give up all claim to legiſlation over Ireland, he thought it would be better to declare ſuch an intention, and do it at once. He could never approve of the idea of giving it up bit by bit, by incidental acts of parliament. He therefore wiſhed the houſe would not haſtily ſettle the queſtion, but go into it, examine it with the attention due to its importance, and make a ſolemn deciſion upon the ſubject.

ſince

ſince he knew from experience, that pains would be taken to miſrepreſent what he ſhould ſay, in order to place him in a light unfavourable to the people of Ireland. The inſidious pains, that had been exerted on a former occaſion to miſrepreſent both him and other gentlemen on the ſame ſide of the houſe, had not altogether failed producing the intended effect, of making them odious in the eyes of a people, whom they loved and honoured. Difficult and dangerous as the ſituation was, he could not be induced from any apprehenſions of perſonal conſequence to permit a matter charged with ſo much apparent danger to paſs unnoticed; at the ſame time he was not inſenſible of the unfavourable opinions of his fellow citizens.

He had many reaſons of friendſhip and affection for wiſhing to ſtand well in the eyes of the people of Ireland; and it was not his purpoſe to attack the claim, which they had ſet up to legiſlative independency. They had not a friend in that houſe more warmly attached to their intereſts than himſelf. He wiſhed to ſhare the dangers and the alarming tendency of this bill both to the liberties of England and of Ireland, and he thought, to be ſilent on ſuch a ſubject would be tacitly to aſſiſt in taking away from the people, in order to enlarge the prerogative of the crown, in demoliſhing and ſubverting the liberties of the ſubject, in order to give the prince a means of beoming abſolute. He had been held out, he was aware, as the enemy of Ireland, and the firſt lord of the treaſury had been declared to be the beſt friend of that country, though he had uniformly endeavoured to ſupport the rights and liberties of the Iriſh, and to give them all they requeſted long ago, and which the noble lord had poſitively denied them till they had armed themſelves, and then by three ſpecific propoſitions had given more to force, than he had before denied to ſupplication. In better times than theſe, Mr. Fox ſaid, he ſhould probably have entered upon the topic in a manner and in language widely different from that he meant to adopt, and to uſe on the preſent occaſion. In better times than theſe, he ſhould have talked of the ſuperintending power of the Britiſh parliament over Ireland, and over every part of the Britiſh monarchy; but ſuch was the miſerable ſituation, to which the king's ſervants had reduced this country, that the queſtion was of a very delicate nature indeed, and it was by no means a matter eaſy to be handled without diſturbing what ought not to be diſturbed, and without producing conſequences, which every man, who wiſhed well to his country, muſt wiſh to avoid. In the preſent queſtion, he wiſhed to ſpeak and act agreeably to

the ſentiments of ſome of the firſt and beſt men in the parliament of Ireland. The powers of ſupremacy and ſuperintendency of this country over her diſtant connexions were topics, which he knew were at that time dangerous to be touched, but which had never been ſo at any former period of our hiſtory. Ten years ago it would not have been conſidered as improper or dangerous to talk on theſe topics, becauſe then they were conſidered as neceſſary to the liberties and the well-being of the empire. They were not only conſidered by that houſe in this light, but by every part of our extended empire they were allowed and acknowledged the ſame. It was the weakneſs of adminiſtration, that had given riſe to different ideas. America had never complained of theſe powers till her calm and ſober requeſts were refuſed, and Ireland had not aſſerted the contrary till relief was denied, when her grievances were manifeſt. But now the topics were dangerous to be touched. The weakneſs and the wantonneſs of miniſters had introduced into that houſe difficulties and embarraſſments, new and unprecedented, and he muſt yield to the diſagreeable neceſſity of ſubmiſſion. But he might ſay, that if he had been ſpeaking on this ſubject ten years ago, he would have found no difficulty in ſaying, that the ſuperintendency and ſupremacy of this country was neceſſary to the liberty of the empire, for many great, and, in his opinion, unanſwerable reaſons, and that in particular they ought to be careful never to give out of their own hands the power of making a mutiny bill. He would have been able to have advanced various reaſons for retaining this privilege, the firſt and moſt powerful of which would have been a reaſon of apprehenſion, leſt at ſome future moment of negligence or corruption, the parliament of Ireland, the aſſemblies of any of the colonies of America, or of any other of our foreign connexions, ſhould be tempted or prevailed on to grant a perpetual mutiny bill. If he had advanced this argument, he knew that it would have been immediately ſaid of him, that he puſhed ſpeculation to exceſs, that he was chimerical and libellous in his ideas, for that no houſe of repreſentatives could be ſo negligent or corrupt as to grant ſuch a bill, and no people ſo blind and ſupine as to bear it. Might he not then now ſay this when it was not an argument of ſpeculation but experience, and when the parliament of Ireland had actually granted a perpetual mutiny bill to the crown, by which they had inveſted the ſovereign with the power of a ſtanding army, unlimited in point of numbers or duration. There were in the paſſing of this bill, ſo granted, alſo ſeveral circumſtances of a ſuſpicious nature,

nature, which implied in pretty plain language, that it was impoſed upon them by the cabinet of England. It originated in the privy council of this country, and was ſent over at a time, when Ireland was loud in their claim of independent legiſlation. The cabinet took advantage of the heat and the inflammation of Ireland, with reſpect to independence, and granted them the one thing, provided they would purchaſe it at the price of the other. They applied to the paſſions of the country; they ſeized on parliament in the moment of their warmth, and appealing perhaps to other paſſions, than thoſe of patriotic phrenzy, they procured the conſent of parliament to this, and received a perpetual ſtanding army, in defiance of the declaration of rights. Many of the firſt members of the Iriſh parliament were ſenſible of the ſhock, which that bill gave at once to the liberties of Ireland and England. Mr. Grattan called upon the people of this country to ſtand forward and protect the liberties of both, by preventing the dangers and effects of a law ſo violent and contradictory to the conſtitution. It was therefore a buſineſs, in which both nations were equally affected, and in which they ought equally to unite. It was a ſpecies of conſpiracy between the cabinet and that part of the people of Ireland, who, anxious for independence, were intoxicated with the idea, and inclined to purchaſe it at any price. A conſpiracy to give a mutiny bill of their own to Ireland, in return for a grant from Ireland of a perpetual army to the crown, a thing wholly unwarranted by the conſtitution. It was curious and alarming, that in the Iriſh mutiny bill, the preamble was left out, which recited the declaration of rights. What could be the inducement of that omiſſion? It contained no enacting law, and conſequently was in no ways an attack on the legiſlative independence of Ireland. It was merely declaratory, and as the conſtitution and the rights in both countries were the ſame, the declaration of thoſe rights was equally applicable to both. But it was found expedient to leave out the preamble, becauſe the words, "*Whereas it is illegal in the crown to keep a ſtanding army* "*in times of peace,*" were in direct contradiction to the bill, which had been granted. The danger of the bill would appear in its full magnitude, when gentlemen reflected, that all that was neceſſary now to the maintenance of a ſtanding army in Ireland, unlimited in number and duration, was the power of the purſe. He conſidered the ſtatute of King William, commonly called the diſbanding ſtatute, reducing the number of troops to 12,000, and which by a late act had been raiſed to 15,000, to be ſtill in force with reſpect to this country, but it was not ſo agreeable to the preſent ideas of the people of Ireland

land, ſo that there was no power ſufficiently reſtrictive on miniſters againſt maintaining in that country an army to any extent. But it might be argued, that without the power of the purſe, the power of the army was nothing. It had been the policy of Britain to keep them both in her own hands, and had granted them only for one year. As there was no reſponſibility in the miniſters under the exiſting laws, and as it was not in the power of either kingdom to bring them to a legal parliamentary conviction, the miniſters, who adviſed the perpetual mutiny bill, were guilty of high treaſon. The act giving the crown a perpetual mutiny bill, in direct violation of the declaration of rights, was high treaſon againſt the conſtitution of the realm. But how could he get at the authors of the treaſon in the preſent circumſtances? It was perfectly impoſſible, for there was no reſponſibility to be eſtabliſhed againſt them. This difficulty had been incurred by a ſyſtem of negligence and incapacity. Any other miniſter would have ſoftened, when it could have been done with propriety; or reſiſted, when it could have been done with ſucceſs: but the noble lord had acted contrary to every expectation. When Ireland, in a decent ſober ſtyle, applied to parliament for relief from reſtrictions, which were at once impolitic and illiberal, the noble lord attended more to the repreſentations of individual members, influenced by their conſtituents, the manufacturers of trading towns, than to the unanimous call of a whole country. The miniſter was obliged, on account of the American war, to court the votes of individual members, and when the gentlemen on that ſide of the houſe had carried a deciſive queſtion, he came down two days afterwarwards, and reſiſted their anxious endeavours to redreſs the grievances of the Iriſh, when they were temperate in their requeſts. The honorable gentleman then ſtated the powerful and the rapid effect of the reſolution and the ſpirit of Ireland. Their aſſociations had done more in a moment than all the effects of friendſhip in their favor. All falſe reaſoning had vaniſhed; all little partial motives of reſiſtance had ceaſed; local conſiderations died away inſtantly, and the noble lord in the blue ribbon, who had ſhewn himſelf the laſt man to liſten to ſupplication, was the firſt man to give way to force. The noble lord came down to that houſe, and by three lumping propoſitions, did more for Ireland than ſhe had ventured to aſk: not that he blamed the noble lord for the conceſſions: he had acted wiſely, and had properly told the houſe, that commercial conſiderations ought not to be taken up on a narrow illiberal ſcale, but ſhould be looked at as great objects.

All

All that he blamed in the noble lord was, for having done that meanly, which he might have done with grace and dignity. An army might thereafter be raiſed and maintained in Ireland under that law, which, though legal in Ireland, would be illegal in England, and not be the leſs dangerous, from being illegal. Soldiers raiſed, enliſted, and atteſted in England, might be ſent to Ireland, and placed under the military law, which in one inſtance at leaſt was different from the law of England, ſince it gave the king a power over them in every thing ſhort of life and limb. Though an enemy to the dangerous influence of the crown, he was a friend to its juſt prerogative; and he conſidered the power veſted in his majeſty, of ſending troops to whatever part of his dominions, that might require their aſſiſtance, a moſt valuable prerogative. It was on this ground, that the Earl of Chatham ſaid, that retrenching the number of troops to be employed in Ireland, was "*tearing the "maſter-feather from the eagle's wing.*" That bill therefore, containing different laws, became dangerous to the prerogative. Many more things he had on his mind to offer on the ſubject, but he ſaw the impropriety of urging all that had occurred to him. He was reſtrained by the conſciouſneſs, that every thing which he ſaid would be miſrepreſented in Ireland, and that for the baſeſt of purpoſes. He reminded the houſe again, that the Iriſh mutiny bill had originated in this country, and that it had paſſed under the moſt ſuſpicious and alarming circumſtances. He concluded with ſaying, that he ſhould move for the recommitment of the bill, when the preſent queſtion was ſettled.

Mr. T. Townſhend ſeconded the motion.

The ſecretary at war ſpoke in very guarded terms of the extreme delicacy of the ſubject. It had been a great object in former reigns to endeavour to induce the legiſlature in Ireland to paſs a mutiny bill, which had not been accompliſhed till the time of Queen Anne. The objects of that bill were the raiſing, paying, and due government of the army; the bill of Queen Anne went only to the firſt two objects, but it was a perpetual bill. In the year 1688 the firſt mutiny bill was paſſed in England, at which time an attempt was made to paſs a ſimilar bill in Ireland, which failed. In 1692 a bill paſſed the Houſe of Lords, and was ſent thither. The great lord Somers was then attorney general; and every one knows how much the attorney general has to do with Iriſh bills in that ſtage. The great authors of the Revolution were anxious, that Ireland ſhould have a mutiny bill of their own; and though many attempts

tempts were made to introduce one, it was not until it was known that they would not admit of one, that the word *Ireland* was inſerted in the Engliſh mutiny bill. This bill was on the ſame principles, as that now the ſubject of debate; like that, it obliged the army to obey certain rules and articles of war, publiſhed, or to be publiſhed, and authorized by his majeſty, and like that, it was perpetual; yet Lord Somers, and all thoſe warm defenders of conſtitutional liberty, who were then in power, approved the bill. Thoſe who had been deeply concerned in ſettling the Revolution, in framing the bill of rights, and all the meaſures of that moſt reſpectable period of our hiſtory, had concurred in their advice in council to approve their bill. It had been ſent over to the Lord Deputy Sydney, with an injunction to endeavour to prevail, that it ſhould be paſſed in both houſes. It failed in the commons. The perpetuity of this bill in Ireland, he conſidered as neceſſary for the very reaſons, that had been urged againſt it. It was certainly proper to prevent the great inconveniencies, that would ariſe from the army's being ſubject to different mutiny acts in different ſituations of ſervice; yet it would be impoſſible to avoid it, if the mutiny bill were conſidered as annual, and ſubject to alterations in both countries.

Lord Mahon ſaid, he was aware of the delicacy of touching upon the queſtion of the ſuperintendency of the Britiſh parliament over Ireland, and of the danger of oppoſing it in contradiſtinction to the ſuperintendency of the Iriſh parliament.

Mr. Burke obſerved, that in the then divided and diſtracted ſtate of the empire, when every thing ſeemed to be falling to pieces, it became men to be firm, and to look on the preſervation of what yet remained as their firſt duty. The queſtion being put, it paſſed in the affirmative without a diviſion.

Notwithſtanding the Earl of Carliſle were ſent over on purpoſe to give firmneſs and energy to the Iriſh government, which was conſidered on this ſide of the water to have been greatly enfeebled by the adminiſtration of his predeceſſor, he found himſelf wholly incapable of checking the ſpirit of volunteering, which now knew no other object, than the attainment of a free and independent conſtitution. The reviews in 1780 had pointed out the utility of forming regiments: it was clearly perceived, that companies acting ſeparately could never attain military perfection. In the ſpring of 1781 reviews were again fixed on, and in ſummer when they aſſembled, the improved ſtate of the volunteers was obvious to every eye; the reviews were every where

where more numerous, more military, and more ſplendid. That of Belfaſt, which in 1780 was the largeſt, had in 1781 nearly doubled their number: 5383 men then appeared in review, with a train of thirteen field pieces; other reviews had proportionally increaſed and improved; the volunteers engaged the affection and commanded the admiration of all their countrymen. The inhabitants of the different places where they were reviewed, behaved with unbounded hoſpitality, and entertained with emulous profuſion their countrymen in arms. Lord Charlemont was again particularly diſtinguiſhed among the reviewing generals, and reviewed a very conſiderable part of the volunteer army. The addreſſes and reſolutions after the reviews in 1781, were greatly diverſified; ſome contained politics, and ſpoke bold truths; others avoided political diſcuſſion: all felt that Ireland was not free.

*On the 9th of October, 1781, the Earl of Carliſle met the parliament, when after the common place recommendations of the charter ſchools, linen trade, tillage, fiſheries, and general commerce of the country, his excellency aſſured them, that his majeſty ardently wiſhed the happineſs of his people of Ireland, in whoſe affection and loyalty he placed the firmeſt reliance. "And "although," ſaid his excellency, "I am not directed to call upon you for any "extraordinary ſupplies in this time of general hoſtility, when theſe king-"doms are expoſed to an unnatural and dangerous combination of enemies, "I have not the ſmalleſt doubt, but that I ſhall be enabled to aſſure his ma-"jeſty of your cordial diſpoſition to give him every aſſiſtance compatible "with your means and circumſtances.

"No event could more contribute to the public ſecurity than the general "concurrence, with which the late ſpirited offers of aſſiſtance were preſented "to me from every part of this kingdom; and I am fully convinced, that if "neceſſity had ariſen, it was in my power to have called into action all "the ſtrength and ſpirit of a brave and loyal people, eager under my di-"rection to be employed in aid of his majeſty's regular forces, for the pub-"lic defence.

"I truſt that every part of my conduct will demonſtrate, how much it is "the wiſh of my heart to engage your confidence: I ſhall claim it only in "proportion as I ſhall be found to deſerve it, by an unwearied endeavour "to promote the proſperity of Ireland; and I am ſenſible, that this is the

* 10 Journ. Com. p. 210.

" beſt method of recommending my ſervices to our ſovereign, and of obtain-
" ing your concurrence toward the eaſe and honor of my adminiſtration."

It had now become notorious, that government wiſhed to check and diſarm the volunteers; but they were frightened into acquieſcence; they had before reluctantly diſtributed amongſt them 16,000 ſtand of arms, and it was now found politic to ſoothe and court the power they could no longer control.

M. O'Neil moved the addreſs to the throne, which was as uſual an echo of the ſpeech; to which no oppoſition was given. He felt himſelf called upon to explain, that the words *liberality of the Britiſh parliament* were merely confined to the grants of their late extended commerce to America and the Weſt Indies.

Mr. Grattan, after having made ſome reflections upon the liberality of the laſt parliament in voting 500,000*l.* and the incompetency of the nation to ſupport Great Britain in the proſecution of the American and French war, took notice of the extreme caution, with which the addreſs avoided mentioning the word *volunteer*; that wholeſome and ſalutary appellation which he wiſhed to familiariſe to the royal ear; he would not, however, inſiſt on having it inſerted, as he had reaſon to believe the right honorable mover did intend to make a proper mention of thoſe protectors of their country.

Mr. O'Neil declared he was not deceived in this opinion, that the motion, to which he had alluded, was intended to thank the volunteers of Ireland for that glorious ſpirit, unexampled in all hiſtory, with which they had ſo eagerly preſſed forward, when the nation was thought to be in danger. He then moved, that the thanks of the houſe ſhould be given to all the volunteers of Ireland, for their exertions and continuance, and for their loyal and ſpirited declarations on the late expected invaſion.

Mr. Conolly ſeconded the motion.

Mr. Fitzgibbon (afterwards Earl of Clare) thought the vote unneceſſary and improper after the cenſure, which had been paſſed upon part of that body laſt ſeſſion. They were totally incompatible, and could not ſtand together in the records of one parliament. He therefore moved, that the former cenſure ſhould be read, before the preſent motion ſhould receive its deciſion.

Mr. Bradſtreet the recorder obſerved, that almoſt at the time the reſolution mentioned was paſſed, parliament relented, and became itſelf a mediator.

He

He was exceedingly averſe from renewing any jealouſy between parliament and the volunteers. Error was the common lot of human nature: it was not inconſiſtent with the tenor of human occurrences, to cenſure at one time, and give due praiſe at another; and therefore requeſted that Mr. Fitzgibbon would withdraw his oppoſition.

Mr. Conolly found himſelf ſo much intereſted in that affair, that he could not decline expreſſing his ſentiments. He was the perſon, who had the honor of firſt moving the thanks of that houſe to all the volunteers of Ireland, for taking up arms at a critical period. He was happy to be the harbinger of ſuch a token of national gratitude; but when the papers alluded to were publiſhed, by ſome few volunteers, he thought it incumbent on him to get up again, for the honor of the whole, and move the vote of cenſure, which remained upon the journals, againſt the dangerous reſolutions that had been publiſhed. The ſame ſpirit that prompted him to applaud the virtuous and patriotic conduct of the great body of volunteers, obliged him to condemn whatever appeared derogatory from that character, in a few; yet, notwithſtanding all the miſrepreſentations, that had been made of his conduct in the public papers, his love and attachment to the volunteers was ſtill the ſame. The few who had fallen into error, had glorioufly repaired the fault; and he would now, with as much pleaſure as ever he felt in his life, ſupport the vote of thanks, and move to expunge the vote of cenſure.

Mr. Fitzgibbon declared, he did not riſe to oppoſe the motion of thanks to the volunteer corps, for whom no man entertained a higher reſpect than he did; but he roſe to preſerve the dignity of the houſe, to prevent their proceedings from falling under the charge of inconſiſtency. He hoped the conduct of the houſe would ever be marked by a dignified uniformity, which could not be the caſe, if they entered into a reſolution of thanks to all the volunteers, while the journals of the houſe contained matter of the higheſt cenſure againſt ſome particular corps. Thoſe reſolutions he therefore wiſhed done away, before the houſe could proceed to a vote of thanks.

Mr. Scott (attorney-general, afterwards Lord Clonmel,) aſſerted, that the reſolution had been only intended againſt the printers and publiſhers of inflammatory paragraphs, and not aimed at the volunteers; that if the honorable gentleman, who now made the objection, had been preſent laſt ſeſſion, he would have joined in the reſolution. He had as high a veneration as any man in the kingdom, for the armed aſſociations, or call them by what name

they would, (ſaid he) *a virtuous armed people.* If any blame lay for want of proſecution, it in a great meaſure lay with him, as the proper officer of the crown. But he could not help thinking that the parliament laſt ſeſſions, when the reſpectable name of volunteer was abuſed, ſhewed a peculiar dignity in taking up that affair, and then generouſly relinquiſhing every idea of reſentment, leſt it ſhould be conſidered as extending to the whole body.

After a long debate, Mr. Fitzgibbon withdrew his objection (indeed, every member wiſhed it had never been ſtarted,) and the houſe paſſed the reſolution of thanks with the moſt hearty and unanimous good will, at the ſame time ordering the ſheriffs of the different counties to preſent them.

At this critical juncture, the patriotic body of Ireland may with truth be ſaid to have conſiſted of the minority in parliament, and the whole maſs of the people, high, middle, and low, without. They were determined to go hand in hand; to act in concert, and never to deſiſt, till they were free and independent, as was Great Britain. On the 10th of October, 1781, Mr. Bradſtreet, the recorder, a very ſtaunch patriot, moved in the Houſe of Commons* for leave to bring in heads of an *Habeas Corpus Bill,* prefacing his motion by obſerving, that the liberty and ſafety of the ſubjects of Ireland were inſecure until an *Habeas Corpus* Act ſhould take place; that arbitrary power had made great ſtrides and innovations on public liberty, but was effectually reſtrained by that law, which had its full operation in England, but did not exiſt in Ireland. It was, he ſaid, the opinion of a great and learned judge, that this law was the grand bulwark of the conſtitution. Leave was granted; and Mr. Yelverton and the recorder were ordered to prepare and bring in the ſame.

Mr. Grattan ſaid, he was willing never to condemn an adminiſtration until he thoroughly knew he had ſufficient grounds. The miniſtry of England had offered America the regulation of her own armies; he could not ſee any reaſon, why the loyal people of Ireland ſhould be denied that benefit. He would, he ſaid, in due time, bring forward the mutiny act to be agitated upon that ſubject; and if it were oppoſed, it would at leaſt have the conſtitutional freedom and ſpirit of the country to contend with. A bill for rendering the judges independent during good behaviour, and ſome other bills, were ſpoken of. When Sir Lucius O'Brien aroſe, and ſaid, that a matter of

* 1 Parl. Debates, p. 10.

the

the utmoſt importance to the nation, had too long remained undecided, our freedom of trade with Portugal, where goods of Iriſh manufacture had been ſtopped, and were not permitted to be ſold.

Mr. Eden aroſe, and agreed with Sir Lucius, that a great deal of time had been ſpent about this very embarraſſing buſineſs; but aſſured the houſe, that the utmoſt exertions had been uſed both on this and the other ſide of the water, to bring it to a happy determination.

Mr. Yelverton thought there had been ſome deſign in the ſpeech, to lead their imaginations away from this important object; it had, indeed, talked of Proteſtant charter ſchools, making of roads, digging of canals, and carrying of corn; and contained half a dozen lines that might be found in every ſpeech for fifty years paſt; ſubjects more proper for the enquiry of a county grand jury, than for the great inqueſt of the nation; but not one word of our trade to Portugal; that had been deſignedly omitted.

On the ſubſequent day, after ſome converſation upon the proper time for adjourning, and a ſtrong recommendation from the ſpeaker to bring in the money bills before the cloſe of the ſeſſion; Mr. Yelverton declared, that he was determined to profit by the excellent advice the ſpeaker had given the houſe. He gave notice, that immediately after the receſs, he would move the houſe for leave to bring in heads of a bill to regulate the tranſmiſſion of bills from that kingdom to England. At the preſent, their conſtitution was the conſtitution of England inverted. Bills originated with the Britiſh miniſter, and with that houſe it only remained to regiſter, or reject them. Such was the miſerable ſtate of Ireland, and in that ſtate it would remain, as long as a monſter, unknown to the conſtitution, a Britiſh attorney-general, through the influence of a law of Poyning's, had power to alter their bills. So generally had this been admitted by every member of the houſe, that laſt ſeſſion, when he moved for a modification of Poyning's law, gentlemen urged, that though that power lay in the hands of the Engliſh attorney-general, yet it was never exerciſed to any bad purpoſe; but the declaration was ſcarcely made, when an altered ſugar bill annihilated our trade to the Weſt-Indies: *annihilated* might be thought too ſtrong an expreſſion, but it ſurely injured it in a very high degree.

After a receſs of three weeks, the houſe met on Monday, October 29th, purſuant to adjournment, when the recorder preſented a petition from the guild of merchants, ſtating, that the great advantages, which that nation was promiſed

promiſed by a freedom of trade to all the world, were likely to prove merely imaginary, as from the preſent almoſt univerſal war, our commerce was confined to very few nations, and amongſt them, the kingdom of Portugal, from which the greateſt hopes had been formed, had refuſed to receive our manufactures, quantities of which were now actually detained in the cuſtom-houſe of Liſbon; and praying the houſe to interfere for redreſs.

The ſubject, he ſaid, was nice, and not ſo proper for the deliberation of a popular aſſembly, as for the miniſterial intervention, which was going forward. He wiſhed, therefore, that the ſubject might be poſtponed; and though he were not diſpoſed to pledge himſelf for a ſpecific meaſure, or unforeſeen circumſtances, he would readily promiſe, at the proper period, to take the lead in the mode, which might beſt vindicate the juſt expectations of Ireland, if thoſe expectations ſhould be diſappointed.

Sir Lucius roſe again. From what Mr. Eden had laſt ſaid, he underſtood, that if Portugal did not grant the redreſs demanded, it was intended to lay a further duty on her wines; this he did not think was a mode proper to be adopted; it was for ever cutting off their trade to that kingdom, and increaſing taxes upon the ſubject. But he thought that granting the ſupplies for ſix months only, would be the moſt likely method of bringing the buſineſs to a happy iſſue. He was ſorry to ſee the buſineſs conducted in a timid manner, and in the hands of perſons not intereſted in their welfare, but with a ſecondary view, who, at moſt, would only promote it when it did not claſh with the convenience of a neighbouring nation. They even doubted whether they were acquainted with the foundation of their right to trade with Portugal. They erred, if they ſuppoſed it reſted on the treaty between England and that kingdom in 1703; he therefore thought parliament ſhould enter into an immediate inveſtigation of the ſubject; that if the miniſter intended to give a ſtrenuous ſupport, he might find himſelf backed with the whole weight of the Iriſh nation; but if not, every man would ſee what was intended, by throwing difficulties in the way of the enquiry, and damping it with cold delay. Mr. Eden appealed to the houſe, whether he had appeared to throw any difficulty in the way of this important buſineſs. With regard to what had been intimated reſpecting a noble earl, it was a ſuggeſtion utterly unmerited, that noble earl being a true and ſteady friend to Ireland, having ſhewn himſelf peculiarly ſo upon the preſent occaſion, and being in every inſtance

ſtance incapable of making a diſtinction between the intereſts of his majeſty's kingdoms.

The activity of the Caſtle to enſure a majority in parliament, kept pace with the increaſe of patriotiſm out of it. But this ſyſtem in the new ferment of the public mind, became daily leſs efficient, and was ill ſuited to the exiſting diſpoſition of the country. The people had arms, had power and a determination to be free: they knew the uſe of their arms, and had imbibed a uniform and ſteady reſolve not to quit them, till they had attained the object of their wiſhes, a free and independent conſtitution. It was obvious, that a parliament marſhalled as that was, to reſiſt the demands of the people, might irritate, but could not control the wiſhes of their conſtituents. Adminiſtration confiding in their number, ſet all the patriotic attempts at defiance, and fruſtrated or negatived all their demands and claims. Had they ſo far temporized, as to have made ſome conceſſions, though they had reſiſted others with a good grace, they would have divided, and thereby deſtroyed the power of the people. The contrary conduct pitted this factitious majority of the ſenate againſt the maſs of their armed countryman, who now beheld them with indignation, and conſidered them in fact the only enemy they had to encounter in Ireland.

In parliament there appeared but little cordiality between the leaders of the patriotic party, and Mr. Eden, the ſecretary, who ſpoke for, and headed the court party. Mr. Eden was a man of information and talent, and conducted the buſineſs of parliament in a manner widely different from his predeceſſor in that office. Yet ſuch a general prejudice againſt every thing Britiſh at that time pervaded every rank throughout the kingdom, that ſcarcely a debate occurred, in which ſome perſonal reflections were not made on the lord-lieutenant and his ſecretary's partiality and bias for England. During the whole of Lord Carliſle's adminiſtration, the numbers of the two parties in the Houſe of Commons continued nearly, as they had been left by his predeceſſor. Some of the leading men of each party had ſhifted ſides. It has been the melancholy and degrading fate of Ireland, that although there have always been a ſtandard of patriotiſm erected in their Houſe of Commons, few indeed have been thoſe, who have rallied round it from a pure and diſintereſted love of their country; ſtill fewer, who have perſevered in their patriotiſm through their political career of life. Early in the preſent ſeſſion,* Mr. Flood declared,

* Viz. on the 1ſt of Nov. 1781—1 Parl. Debates, p. 80.

that

that when he had quitted the houſe laſt ſeſſion, he had left them the moſt dignified and virtuous aſſembly on earth: he expected now to find them ſuch. And he ſaid, that the fate of the nation depended on the motion then before the houſe (for going into the conſideration of the Portugal trade): that they ſhould not truſt to any miniſter, that countenanced a perpetual mutiny bill: and that they would be execrated by poſterity, if they abandoned that motion.* On the other hand, we find Mr. George Ponſonby declaring, that now he ſaw the miniſter acting obviouſly for the honor and intereſt of Ireland, he thought it his duty to ſupport him, and he would ever aſſiſt him while he acted upon the ſame principle. He ſaid, he thought this was the time, that all gentlemen of rank and property in the country, ſhould ſupport government: it was to men of that deſcription that adminiſtration applied, and by them he truſted they would be ſupported.†

The debate, which brought forth Mr. Flood in oppoſition to the miniſter, was on the ſupplies, and it involved the queſtion upon the ſtate of the nation.‡ It

* Which was negatived by a majority of 117 againſt 44. 1 Parl. Debates, p. 30.

† Sir Frederick Flood ſeverely reprehended the honorable gentleman, for declaring that he would ſupport a miniſtry, that could be ſo baſe, ſo infamous, ſo corrupt, as to take away gentlemen's employments, merely becauſe they acted according to the dictates of their conſciences. Mr. George Ponſonby had admitted, that nothing but public ſpirit could induce him to riſk the loſs of one of the beſt appointments government could beſtow. 1 Parl. Debates, p. 41.

‡ Dr. Campbell, who was preſent at the debate, gives this account of it. P. 458 Phil. Surv.—The ſame author favours us with the following obſervations upon ſome of the ſpeakers in that debate:—Mr. H. Hutcheſon has a mellifluous voice, and pleaſing elocution. His exordium gave me hopes of great matters; but his oratory is of that wordy, oſtentatious kind, which muſt ſometimes diſappoint your expectations. He is here called Prancer, from ſome ſimilitude they find in him to a horſe in the manege, curvetting at the height of his mettle, without making any progreſs forward.

Mr. Scott, the ſolicitor-general, is one of the moſt powerful ſupporters of government. He does not affect making long ſpeeches, though one of the ableſt advocates of the bar; his talent lies in promptitude of reply, in dilution of objections, and in turning the arguments of his adverſaries againſt themſelves.

Mr. Huſſey is a fine ſpeaker; his expreſſion is clear; his language flowing; his action graceful; and his manner perſuaſive. Mr. Yelverton is vehement and forcible. But the greateſt pleaſure I received, was from a very young man, a Mr. Denis Daly, whoſe ſentiments were ſuch as became a country gentleman, and whoſe manner was vaſtly engaging. He was clear, he was manly, he was copious. His invective againſt the ſecretary was ſo keen, and ſo poignant, that Demoſthenes, at his age,

It was amazing, how differently that ſtate was repreſented by the different parties. On one ſide of the houſe, it was holden forth as the moſt flouriſhing of any country under heaven, and that nothing was wanting to make the people the moſt happy in the univerſe, but a contented reſignation to the preſent meaſures of adminiſtration: on the other ſide, you might have heard it repreſented as the moſt injured nation on the earth, deſpiſed as an alien, inſulted by penſions, oppreſſed by taxes, and fettered in commerce. Mr. Ogle painted the miſeries of the common people in a moſt affecting manner.

Mr. Flood ſpoke, for the firſt time, on the oppoſite ſide of the queſtion; but he confined himſelf to calculation, and affected rather to demonſtrate than perſuade. But there was no ſpark of that flame remaining, wherewith he is ſaid heretofore to have ſet the galleries in a blaze. It would, to be ſure, have been extremely embarraſſing for him, to have played the orator in behalf of meaſures, which, for a ſeries of years, he had employed every art of rhetoric to ſtamp with infamy.

It was in this debate, that Mr. George Ponſonby ſaid, that he rejoiced to ſee the right honorable gentleman, after an eclipſe of ſeven years, burſt forth into ſuch a blaze of eloquence; to which Mr. Flood, in riſing to anſwer what the attorney-general had ſaid concerning the proſperous ſtate of the kingdom, thus replied: an honorable gentleman (Mr. Ponſonby) ſays, I am emerged from a ſeven years eclipſe; it is true I ſupported Lord Harcourt's adminiſtration; but was I eclipſed, when, on ſeveral occaſions, I went not with them, and gave my reaſons for ſo doing? I alſo ſupported the laſt adminiſtration; but on that great day when a free trade was demanded, was I eclipſed? When a declaration of rights was the ſubject of debate in this houſe, did I ſhrink from the queſtion?

Probably, as the gentleman ſays, miniſterial reſentment may deprive me of the place I hold, for I am not near enough to my royal maſter to take ſhelter in his virtues. 'Gentlemen ſpeak of the proſperity of this kingdom from our free trade, as an inſtantaneous operation; but the growth of a nation, like the

age, would not have been aſhamed of it. He lifted up his voice, he ſaid, in behalf of his oppreſſed country, which he had juſt heard repreſented in ſuch an opulent condition. I, who had ſo recently ſeen the ſcenes he ſo pathetically bewailed, could not help going along with him in every thing he ſaid, that was not perſonal. Yet, what was advanced by the friends of adminiſtration, was, in ſome degree, true; the kingdom being certainly, upon the whole, in a progreſſive ſtate of improvement. What muſt it then have been, if tings are ſo much mended?

oak tree, is ſlow, though gentlemen think they ſee it vegetate. They have, indeed, ſeen wonders, but they were of another kind. They have ſeen their country defended againſt France and Spain, when the miniſter had abdicated its defence; when, after borrowing 1,203,000*l.* he was not able to protect them: the volunteers, 50,000 freemen, at their own expence, armed and diſciplined, ſtood forth; the choſen men of the land approved, they gave them an example of firmneſs and moderation.*

On the 13th of November, 1781, a very warm and important debate took place in the Iriſh Houſe of Commons reſpecting the mutiny bill. Mr. Grattan made a motion for bringing in heads of a bill to explain, amend, and

* What Mr. Flood ſaid of himſelf on the 10th of November, ſhews how much he took to heart the loſs of his appointment: and it juſtified what Sir Edward Newnham, in the debate on the 8th, had remarked, lamenting, that gentlemen ſhould loſe their places for acting conſcientiouſly; but that it ever would be ſo, until placemen and penſioners were by law excluded from parliament. (1 Parl. Debates, p. 47.) Mr. Flood aroſe: he recapitulated what he had ſaid on Thurſday laſt, concerning the ſtate of the national finances, and the ruin that muſt neceſſarily enſue, if the ſame deſtructive mode of running in debt was ſtill continued. Within the laſt years, the country, ſays he, has advanced to deſtruction with unexampled rapidity. The loudeſt declaimer that ever made your walls re-echo, never ventured to ſuggeſt ſuch an accumulation of debt. But if you have outgone example, if you have outgone the boldneſs of declamation, in your career to ruin, will any man ſay, that the proſperity of this country has likewiſe outgone the power of declamation, when the expence of your military eſtabliſhment alone is equal to the whole of your revenue? Do you call this proſperity? Do you call running in debt proſperity? I do not now ſpeak to retard your proceeding in buſineſs. I do not intend to divide the houſe upon the queſtion; nor am at I all ambitious of applauſe; but I thought, and ſtill think, that my propoſal of going into a committee on the ſtate of the nation, where ſome mode of retrenchment might be deviſed before we granted a ſupply, was a moderate, a reaſonable plan; and I did hope, that after twenty years experience of my conduct, I ſhould not be told in this houſe, that I was urged on by diſappointed ambition. I have been gratified by almoſt the higheſt and moſt lucrative office that my ſovereign can beſtow; and the ſecretary knows whether ever I requeſted any favour of him. Is this then diſappointed ambition? It cannot be ſuppoſed, that I am not ſatisfied, becauſe I am not invited to take a lead upon the treaſury bench, for I do not wiſh to take a lead upon that bench. There is no man in the kingdom, to whom the words of diſappointed ambition are leſs applicable than to me. 'Tis a hard meaſure indeed, if, after twenty years ſervice, I meet with ſuch treatment. The houſe can teſtify, that before I entered into office, I was uniform in my deſire of extricating the nation from debt; when in office, I attempted to do it even by the diſagreeable expedient of propoſing new taxes; and if now I am about to loſe my employment, which I regret only as it deprives me of the power of ſerving my ſovereign, ſhall I be told that I am actuated by diſappointed ambition; becauſe I do not wiſh, that the nation ſhould run in debt more? My ambition has been, when out of office, not to be factious; and when in office, not to be venal.

limit

limit an act to prevent mutiny and desertion in the army;* which was seconded by Mr. Flood. On this occasion some few of the more independent members

* This great patriotic orator thus prefaced his motion (1 Parl. Deb. p. 51.) he said, that in the 18th century, however astonishing it must appear, he rose to vindicate Magna Charta, sanctified as it was by the authority of 600 years. He called upon gentlemen to teach British privileges to an Irish senate. He quoted the laws of England, first, because they were laws, secondly, because they were franchises; and they were the franchises of Irishmen as well as Englishmen. He was not come to say what was expedient, he came to demand a right; and he hoped he was speaking to men, who knew and felt their rights, and not to corrupt consciences and beggarly capacities. He begged gentlemen to tell him why, and for what reason, the Irish nation was deprived of the British constitution? He said, the limitation of the mutiny bill was one of the great hinges of the constitution, and ought it then to be perpetual in Ireland?

No man could doubt as to the point of right respecting the army; he would even resort to the question of necessity. We want not an army as Great Britain does; for an army is not our protection. Was your army your protection when Sir Richard Heron told you, you must trust to God and your country? You want it not for defence. You want it not for ambition. You have no foreign dominions to preserve, and your people are amenable to law. Our duties are of a different nature. To watch with incessant vigils the cradle of the constitution, to rear an infant state, to protect a rising trade, to foster a growing people. We are free, we are united. Persecution is dead. The Protestant religion is the child of the constitution; the Presbyterian is the father. The Roman Catholic is not an enemy to it. We are united in one great national community. What was our situation formerly? We were a gentry without pride, and a people without privilege. The British constitution lay upon the ground like a giant's armour in a dwarf's custody.

At length the nation asserted itself, and though the declaration of rights was not carried, which I proposed as a measure safe and innoxious; yet our spirit made us a nation. British supremacy fell upon the earth like a spent thunderbolt. The minister feared to look at it. The people were fond to touch it.

Yet though we have no necessity for an army, and have asserted our freedom, we have followed that assertion by erecting martial law, and a perpetual dictator for ever. I laugh at the argument, that this law is the charter of our freedom. Is the 6th of George I. repealed? Why does not the minister come forward and declare our rights? No, all is mystery, all is silence. Besides, the present mutiny law is defective, no enacting part, and articles of war are become the law of the land; by which there is no safety left either to England or Ireland. We have suffered an armed prerogative to issue out of a claim of right.

Besides, the power of the purse is given up already by the hereditary revenue, that original sin of your ancestors, which visits you from generation to generation. This is the very alarming consideration to those, that love liberty better than the profits of office. Yet we have added the tide of power to the sink of influence, and have bid majesty to govern by either. The power of the purse you have long lost. You have now lost the power of the sword. The question is, will men prefer a biennial to a perpetual mutiny bill? Will men lay their hands upon their hearts and decide the question?

members of the miniſterial party ſided with the oppoſition; the diviſion being 77 for and 133 againſt the motion. Of this circumſtance Mr. Eden took notice, by expreſſing his concern to differ that day in opinion from ſome gentlemen, with whom he wiſhed and hoped in general to concur; but it was a conſolation to differ on a point of mere ſpeculative reaſoning, and not of permanent importance. As a ſervant of the public, and filling a very reſponſible ſituation, he was determined, at all times, to guard againſt the enthuſiaſm of the day, whatever it might be; and to preſerve coolly and reſpectfully the even tenor of his way, on ſuch principles as ſeemed to be calculated for the advantage of the public. He concluded with ſaying, that having doubts on the foundation of the queſtion, and no doubt of its preſent unimportance, he would reſiſt the motion. He had found the mutiny law recently eſtabliſhed on ſolemn diſcuſſion, and by large majorities; the execution of it had paſſed immediately through his hands, almoſt from its commencement, and he had found it full of expediency, and void of miſchief. It was the act of a ſeſſion, of which all within thoſe walls ought to be proud, it was the act of a ſeſſion, to which all out of thoſe walls ought to feel reverence and gratitude.

The heads of the new mutiny bill were moſt violently ſupported by the heads of the patriotic party, and as violently oppoſed by the miniſtry. Much intemperate language paſſed in the houſe, but the proportion on the diviſion

Suppoſe that a company of Britiſh merchants ſhould petition an Engliſh parliament to reſtrain your trade again, and that the requiſition ſhould be acceded to; what would you do without any reſources to ſupport your rights; without a navy? You could not reſiſt ſuch a mandate; and every idea of coping with ſuch tyranny would be in vain when you have reſigned the ſword. When two thirds of your revenue are granted in perpetuity, the power of parliament cannot preſerve the free trade of the kingdom. Be aſſured that England will never grant to your meanneſs what ſhe refuſes to your virtue. In the infancy of this very act, why did not the advocates of its preſent form come forward, and propoſe it a perpetual mutiny bill? No. They knew ſuch language would ill ſuit the ears of parliament, as it then ſtood diſpoſed in the public ſervice.

He then reſorted to the other argument with regard to the unity of diſcipline, &c. which having ſtated, he ſaid, if you are competent to regulate your commerce, why not competent to regulate your own army? Commiſſioners have been ſent to America, to offer a branch of the Britiſh empire, in arms againſt the parent ſtate, unconditional terms to tax themſelves, and regulate their own army. Two of the commiſſioners have been ſent over to govern this kingdom. Will his excellency, or the Right Hon. gentleman his ſecretary, ſay, that Ireland is not entitled to the terms offered to America? That the loyal and affectionate ſiſter of England is not entitled to the indulgence holden out to the enemy of England, to the ally of France? It is impoſſible.

remained

remained nearly the ſame; on that which took place upon this queſtion on the 29th of November, the numbers were 66 to 146. On which occaſion, juſt as the queſtion was about to be put, Mr. Eden roſe, and ſaid that he gave that interruption, not from any anxiety about the deciſion, which was eaſy to be foreſeen. It had been avowed, he ſaid, that the object of the bill then propoſed, was ſubſtantially the ſame as that, which had recently been negatived by a large majority: it would therefore be an unmanly and unworthy idea, if it could be ſuppoſed, that the houſe would adopt a bill under one title, which upon the fulleſt diſcuſſion had been rejected under another. His anxiety was on another puint; he was anxious for the order of parliament, and eſpecially when that order entrenched on the barriers of the conſtitution. Where would be the end of parliamentary diſcuſſion and debate, if points fully agitated and decided, might be thus reſumed in the ſame ſeſſion? Where would be the ſafety of the conſtitution, if the practice ſhould be eſtabliſhed, that a meaſure rejected to-day upon a fair hearing, might be brought forward again to-morrow, or whenever the diſappointed party on either ſide of the houſe could frame a majority to carry it either by ſurprize or by influence? He wiſhed for a deciſion on the point of order; if however it ſhould not be agreeable to the ſpeaker to give that deciſion, he would not urge it; but having ſtated the objection, would give his negative to the queſtion. Upon which Mr. Grattan replied. It is very odd, that the ſame chorus of voices, which formerly ſaid, this was not a mutiny bill, ſhould now admit that it is; but reſt their defence on its not being like to that of England. The Right Hon. member thinks, that without a flagrant violation of the rules of parliament, he cannot now bring in the heads of a bill propoſed; but I deſire he will conſider, that thoſe heads are only to explain and amend. The Right Hon. gentleman ſays, he has no anxiety as to the fate of this queſtion. I am ſorry he has no anxiety. I am ſorry he can ſtate this to parliament. But is this ſecurity founded in the potency of the arguments, that were uſed on a former night? If it be, it was not even then aſſerted that a perpetual mutiny bill is better than a limited one; for even then his friends gave up the principle. I have a note, a faithful record of that night's proceeding, and I find, that no man in the houſe ſaid it was better; but though it may be againſt eſtabliſhed form, yet I think the powerful arguments, that have been uſed ſhould plead for another hearing. If gentlemen be not afraid that the public mind ſhould receive conſtitutional truths from one ſide of the houſe,

and

and perceive the contemptible ſhifts of the other ſide, they will not oppoſe the motion. There is not a man in the houſe, but knows that it is the wiſh of, there is not a man but knows, that the nation will be gratified; that the nation will carry this law as it carried the octennial bill; that bill, which was debated ſeſſion after ſeſſion, but which at laſt was conceded to the voice of the people.

Mr. Flood aſſerted, that the example of parliament in reconſidering the abſentee bill was a ſufficient precedent, and ſhould be followed. That bill, he ſaid, had been reconſidered, and Mr. Malone, that moſt experienced ſenator, though before he came to the houſe, he had declared againſt the propriety of reconſideration, yet afterwards made a moſt animated ſpeech in favour of it; but common ſenſe (ſays he) tells us we ſhould ſeldom conſider any ſubject ſo ſeldom as once; why therefore, ſhould we ſtifle a matter of ſuch importance? Do gentlemen think that ſuppreſſing the evidence of truth will give content? Do they think that they are of ſo much conſequence, that their mandate will quiet the people? I would, ſaid he, ſpeak upon this ſubject till I fell proſtrate upon your floor, had I any hope of being ſucceſsful; but if what has already been offered ſhould fail of its effect, how ſhall I hope to change your reſolution?

Upon the receipt of the melancholy news of the ſurrender of Lord Cornwallis's army to the French in America, Mr. (afterwards Lord) Yelverton roſe in the Houſe of Commons on the 5th of December, 1781, and thus addreſſed them.

* "I had determined this day to bring on a motion, which I think it my indiſpenſable duty, at a proper time, to purſue; a motion of which I will never loſe ſight, until a mode of legiſlation, utterly repugnant to the Britiſh conſtitution ſhall be done away; but the melancholy intelligence received from America has, for the preſent, diverted my attention from that object, and turned my thoughts into another train; and I think it but decent to defer the conſideration of Poyning's law, and for the preſent devote my whole

* 1 Parl. Deb. p. 124. This ſpeech of Mr. Yelverton is ſo fraught with true patriotic and conſtitutional ſpirit, and ſo pointedly appropriate to the union of the two kingdoms, that I cannot forbear calling the attention of the reader to its relevancy to the then as well as ſince exiſting circumſtances of Ireland.

faculties

faculties to the momentous ſituation of the public affairs of the Britiſh empire.

I have always looked upon the true intereſt of Great Britain and Ireland as inſeparable, and I thank Heaven we have now more reaſon to ſay ſo than ever. Great Britain cannot experience a misfortune which we ſhall not feel. She cannot gain an advantage which we ſhall not partake. It would then ill become the approved generoſity and unſhaken loyalty of the Iriſh people, to remain in ſilent apathy, or ſullen inſenſibility on ſo great an occaſion, when Britain, ſurrounded with enemies, and ſtruggling with magnanimity againſt a warring world, becomes the object of admiration of every generous mind. But when, as Iriſhmen, we conſider our connexions with England, what ought to be our feelings? We are called upon to teſtify our affection, and unalterable attachment to that country, and to convince foreign nations that we do not deſpair of the common-wealth, but that the Britiſh empire ſtill has power and reſources to render her formidable to her numerous enemies, and to convince them that the diſmemberment ſhe has ſuffered, has only ſerved to draw the remaining parts into cloſer union and intereſt.

I will therefore move, that an humble addreſs be preſented to his majeſty, to expreſs our unalterable loyalty and attachment to his majeſty's royal perſon, family, and government, and to aſſure his majeſty that in the preſent critical ſituation of affairs, when his majeſty's dominions are expoſed to a powerful and dangerous combination of enemies, we think it peculiarly incumbent on us to declare our warmeſt zeal for the honor of his majeſty's crown, and our moſt earneſt wiſhes for the Britiſh empire.

That conſcious that our intereſts are become inſeparably united with thoſe of Great Britain, we feel that the events of war involve both countries in a common calamity; and to intreat his majeſty to believe, that we hold it to be our indiſpenſable duty, as it is our moſt hearty inclination, cheerfully to ſupport his majeſty to the utmoſt of our abilities, in all ſuch meaſures as can tend to defeat the confederacy of his majeſty's enemies, and to reſtore the bleſſings of a laſting and honorable peace."

Several friends of Mr. Yelverton's conceiving, that his motion would commit them into an approbation and ſupport of the American war, on that account alone declined ſupporting it: the queſtion however being put, the motion was carried by a majority of 167 againſt 37.

On

On the 7th of the month Mr. Grattan being called to by the houſe, roſe to ſtate to them the financial ſituation of the country; but previouſly intreated them not to give a *Rake*'s ear to a ſubject neceſſary for their conſideration, though painful to their patience. Your debt, ſaid he, including annuities, is 2,667,600*l.*; of this debt, in the laſt fourteen years, you have borrowed above 1,900,000*l.* in the laſt eight years above 1,500,000*l.* and in the laſt two years 910,090*l.* I ſtate not only the fact of your debt, but the progreſs of your accumulation, to ſhew the rapid mortality of your diſtemper, the accelerated velocity, with which you advance to ruin; and if the queſtion ſtood alone on this ground, it would ſtand firm; for I muſt further obſerve, that if this enormous debt be the debt of the peace eſtabliſhment, not accumulated by directing the artillery of your arms againſt a foreign enemy, but by directing the artillery of your treaſury againſt your conſtitution; it is a debt of patronage and proſtitution.

The next quantity I ſhall conſider is, the growth of your expences for the laſt fourteen years; I will conſider all your expences, that you may ſee the whole of your ſituation; I will conſider the expences of collecting the revenue, of bounties, of eſtabliſhments, of extraordinary charges, and the intereſt of the public debt; and I ſay, on a comparative view of expences of two years, ending Lady-Day, 1781, the increaſe in the latter was above 550,000*l.* a ſum aſtoniſhing, if you conſider that the whole biennial revenue and eſtate of the nation is not 2,000,000*l.* and that the whole additional ſupply is not 520,000*l.* ſo that the mere increaſe of national expence, in the courſe of fourteen years, has exceeded one fourth of the nation's eſtate, and the whole of her additional duties. Let the Right Hon. gentleman high in office, who calls theſe expences ordinary expences, who calls the ſupplying them by new loans the ordinary ſupply, juſtify this enormous increaſe; let him prove, that the ſcale of the expence of government was too ſmall in 1767; let him ſhew what exertions we have made by ſea or land; let him produce ſome nobler monument than ſecretaries provided for by Ireland, or than their creatures ſatiated by Ireland, or their ſupporters paid by Ireland, to juſtify this rapid accumulation. I can produce the record of parliament, to prove that in 1767, you thought your expences too great, for you refuſed the firſt propoſition for an augmentation in 1767, and gave as a reaſon that you were then overburthened, and in 1769, you complied with a ſecond application,

tion, upon a promiſe of reduction, which promiſe was broken; and in 1771, you reſolved, that the then expences of government ought greatly to be redreſſed, though incomparably leſs than at preſent.

I have conſidered the growth of your expences, I will next conſider the growth of your revenues; you made ſince 1767 two efforts to raiſe them, one in 1773, when you granted in new taxes about 180,000*l.* and another in the laſt ſeſſion, when you granted what was eſtimated at near 300,000*l.* for the two years, but in our experience has produced ſomething leſs than 50,000*l.*

The revenues of the two years ending 1781, including loan duties, and aided by new taxes, have produced 1,908,000*l.* In the two years ending 1767, without new taxes, the revenues, including the loan, produced 1,846,000*l.* Increaſe of revenue in the two years ending 1781, 60,000*l.* Increaſe of expences, 550,000*l.* a ſad diſproportion this! The cauſe of it is obvious; we are governed by a ſucceſſion of miniſters, who have no intereſt in this country, but that of raiſing themſelves from thoſe beggarly difficulties, to which they reduce the king and kingdom. I know not how it is, but at firſt we are charmed with them, we admire their affected conſequence, and eaſy effrontery. They find in the private indulgence of the gentlemen of the country, public ſupport; the nation becomes implicit, and from a courſe of bad and profuſe policy, is periodically convulſed; we were ſo in 1779, and from diſtreſs, the effect of our bad policy, became for that time virtuous. I ſpeak of the ſeſſion of 1779, with diffidence, becauſe I had ſome ſhare in its proceedings: I ſhall therefore only give it negative praiſe. I will ſay of the early part of that ſeſſion, that no man then talked of the public with contempt, nor of liberty as a matter of ſpeculation, nor did gentlemen of property affect to join government in the putting a negative on all conſtitutional queſtions. The ſecretary at that time left parliament to itſelf, and the people to themſelves; he did not penſion a preſs to write againſt the liberty of the ſubject; he did not connect himſelf with libellers, nor was he himſelf a traducer of men; he could neither corrupt nor anſwer, nor did he take into his venal hand a lifeleſs pen to propagate the poiſon of his proſtitute principles; but ſuch times are over, we are now more ariſtocratic and abject, and we argue on public ſubjects, as we did before on the freedom of our trade, with the ſame confidence and indifference.

I have ſtated the growth of your expence and your revenues. I will ſtate the exceſs of the latter, it is 484,000*l.* in the two laſt years: how will you

ſupply ſuch a deficiency? Not by borrowing ſeſſion after ſeſſion on lotteries and loans, nor by adding to your taxes, for then you muſt nearly double your additional duties, which are little more than the deficiency. Nor can you wait until the increaſe of population and manufactures, which certainly will increaſe, but will not increaſe with a rapidity ſufficient to ſupply the biennial deficiency of 484,000*l.*

It was ſaid in a former debate, that we were adequate to our preſent expence; and we were taught to believe, that the ability of the nation had in the laſt year greatly increaſed. I deny the fact: on examining the exports of the manufactures of cotton, woollen, and linen, we ſhall find the exports of the two former have been next to nothing, and the export of the latter greatly declined; and on examining the import of cotton and woollen, we find the increaſe prodigious; and on the whole I do ſay, that the year 1781 was above half a million in theſe very articles leſs in your favor, than in the year 1780, ſo much better was the non-conſumption agreement than the free trade hitherto has been. The gentleman, and particularly one Right Hon. gentleman, has miſ-ſtated our ſtate of commerce, but he has been much more inaccurate in the ſtate of our revenue; for I remember in the laſt ſeſſion, he ſtated the new taxes as adequate to produce 260,000*l.* in the two years, but in the experiment, they have not produced 50,000*l.* He ſtated the new tax on ſugars at 55,000*l.* a year, which tax has not produced more than 20,000*l.* He ſtated the tax on wine at double the produce. He ſtated the old revenues at 100,000*l.* a year more than the produce. He ſtated a ſaving under the heads of penſions and of exceedings, and alſo a new revenue by the eſtabliſhment of a poſt-office under our own law. This promiſed ſaving, and this poſt-office, would have amounted to 90,000*l.* which is a greater produce than all his taxes; and to ſhew how apt the moſt intelligent man is to be deceived in a miniſterial ſituation, when he ſpeaks on the ſubject of revenue, I will ſtate a very remarkable tranſaction which relates to the Right Hon. gentleman in Lord Buckinghamſhire's adminiſtration, in 1777. A motion was made to reſolve, that in every ſeſſion of the preſent reign, we had added to the public debt; the Right Hon. gentleman voted for the reſolution, and gave this reaſon, "that Lord Buckinghamſhire's adminiſtration "ſhould be contraſted with his predeceſſors, who had added to the public "debt," inaſmuch as under Lord Buckinghamſhire the practice of accumulating debt was to ceaſe; but in the enſuing March we borrowed 300,000*l.*

and

and in the next ſeſſion 610,000*l.* I ſtate theſe things, not to reflect on the right honorable member, but to ſhew his fallibility on the ſubjects of trade and revenue.

I have ſtated your expences as exceeding your income, 484,000*l.* and as having increaſed in fourteen years above half a million. As to the application of your money, I am aſhamed to ſtate it: let the miniſter defend it; let him defend the ſcandal of giving penſions, directly or indirectly, to the firſt of the nobility, with as little honor to them who receive, as to the king who gives. Let him defend the minute corruption, which in ſmall bribes and annuities, leaves honorable gentlemen poor, while it makes them dependent. When you go into the committee, you will find abundance of matter; the biennial charge of barracks, equal to the lodging money of the army, and you will find the reſident army not more than nine thouſand, though ſtated at ſome thouſands more: you will find waſte as well as corruption; you will find the mere expence of furniſhing the Caſtle, ridiculouſly extravagant: but I ſhould be aſhamed to enter minutely into theſe items; let a committee be appointed. He adverted to the late adminiſtration, and the promiſe of Sir Richard Heron, not to add or ſupply a penſion, which promiſe had been broken. He addreſſed himſelf to Mr. Eden and Mr. Foſter, to warn them againſt expenſive meaſures, and from falſely eſtimating the abilities of the nation; he inveighed ſtrongly againſt every ſpecies of expence and venality, of unaccountable waſte, and ill-directed profuſion; and moved that a committee ſhould be appointed to examine the expences of the nation, and to conſider of ſuch retrenchments as ſhould ſeem neceſſary.

Mr. Foſter ſaid, that unprepared as he was, he was able to refute every poſition the honorable gentleman had adduced: he obſerved Mr. Grattan had taken a period of profound peace, and compared it with a period of war. From ſuch a compariſon no inference could be drawn, which could be fair or concluſive. He ſaid, that aſſerting they had borrowed 910,000*l.* in two years, was uncandid, for that ſum was to anſwer the expences of at leaſt four years, and in ſome meaſure, of ſix years. That the manner of ſtating the expences in 1767, and in 1781, had been uncandid; for the whole aggregate charge of, including bounties, &c. and loan intereſt, had been ſtated as the expence of government; whereas the payment of bounties, &c. (which were granted by parliament), the government could not control, and the intereſt of the loans the parliament could not diminiſh. Now, ſaid he, the bounties in two years, ending

Lady-day, 1767, amounted to about 34,000*l.* whereas the bounties in two years, ending Lady-day, 1781, produced 200,000*l.*; and if we further deduct from our preſent expences, the ſalaries of the vice-treaſurers, and clerk of the pells, amounting to near 30,000*l.* in two years, which were not on the eſtabliſhment in 1767, and for which they gave up their fees in favour of the public, the increaſe of our expences will not appear very enormous, if we conſider how much the nation has riſen in conſequence, and that we are in a ſtate of war. He ſaid, there were other errors in Mr. Grattan's account, and that the increaſe of our expences was by no means alarming, or ſo extraordinary as had been repreſented. That the expences of government were not greater in the laſt two years, than in the two years ending Lady-day, 1777; and that they were leſs than in the two years ending Lady-day, 1779, by a conſiderable ſum. He ſaid, if Mr. Grattan had been candid, he would have taken two periods of war, but that he had declined; he would therefore ſtate the expences of government in the two years of the laſt war, ending Lady-day, 1763: the civil and military liſt, and extraordinary charges, amounted at that period to 1,679,043*l.*—the civil and military liſt, and extraordinary charges in the laſt two years, amounted to 1,683,162*l.*; the exceſs in the laſt two years is therefore only 4,119*l.* a ſum, which he thought could not juſtly alarm the nation: 4000*l.* increaſe in the courſe of twenty years!

He then adverted to Mr. Grattan's aſſertions, reſpecting the taxes he had propoſed in 1779. The honorable gentleman had ſaid, he had eſtimated the taxes at 130,000*l.* a year, and that they had produced only 50,000*l.* in the two years, ending Lady-day, 1781. What kind of argument was this, to ſay they had produced only 50,000*l.* in two years, when they had been in operation only nine months? He had, as it was fair to do, eſtimated the taxes on an average produce of the ſix laſt years, and in ſome his calculation had proved true. He could not have divined that the ſugar bills would have combined and ceaſed working, in hopes of monopoly; nor have divined the loſs of the Weſt-India fleets, the capture of our iſlands, the danger of navigation from the war, and the increaſed price of the commodity. He ſhould have calculated otherwiſe. Reſpecting the poſt office, he never propoſed it as an actual fund: but as an Iriſh poſt office was then in contemplation, he thought it better that the kingdom ſhould reſt in the hopes of ſuch a fund, than lay duties in the place of it, which might be unneceſſary.

What

What the honorable gentleman has ſaid reſpecting the balance of trade, would really alarm him if it were true. (Mr. Grattan ſaid, he confined himſelf to the articles of linen, cotton, and wool.) Mr. Foſter proceeded. The balance of trade muſt be taken upon the whole of our trade. We never have had ſuch large exports of beef as of late; thoſe of pork had been incredible. If their linen market were bad laſt year, the markets of the preſent year were uncommonly good; and in the firſt year of our free trade, they had exported woollen goods to the value of 400,00*l*. Who could think that, under theſe circumſtances, the balance of our trade had declined? (Mr. Grattan here interrupted Mr. Foſter, and ſaid, I admit that the nation is riſing faſt to proſperity, if miniſters do not oppreſs her.) Mr. Foſter gave other advantageous views of the ſituation both of the expences and revenues; and he concluded by ſaying, that as he had refuted every poſition Mr. Grattan had adduced, as reaſons for going into a committee; and as he ſaw no one of any kind, which could induce him to think a committee neceſſary, he ſhould oppoſe this motion. In aſſerting the neceſſity of œconomy, he ſaid he had ever been, and ever ſhould be, its warmeſt advocate.

Mr. Eden obſerved, that an enquiry into the ſtate of the public expences, would ſhew he was uſing his beſt induſtry and exertions to promote an efficient collection of the revenue, and to prevent improper expenditure. He would not however admit a propoſition reſting upon aſſertions of public poverty, which was not felt, upon abuſes, which did not exiſt; and upon charges employed againſt the late adminiſtration, which deſerved and poſſeſſed the grateful regards of that kingdom. With reſpect to the biennial accounts of 1767, which had been compared with the biennial accounts for 1781, in order to ſhew an exceeding in the latter to the amount of 520,000*l*. he ſaid, that when proper deductions were made for the parliamentary bounties, the loan duties, the vice treaſurer's ſalaries, and the abſentee taxes, the exceeding was leſs than 100,000*l*. which was matter of fact, not of calculation: and it ſhould be alſo recollected, that the latter being a period of war, muſt neceſſarily be attended with various expences, from which the former period was exempt. With regard to the Portugal buſineſs, which had been incidentally mentioned as decided, Mr. Eden ſaid, that it was not yet brought to a concluſion, but had every appearance of ending in the moſt ſatisfactory manner. At twelve o'clock the houſe divided upon Mr. Grattan's motion; when there were 65 for it, and 143 againſt it.

On

On the 11th of December, 1781, *Mr. Flood entered upon the important ſubject of Poyning's law, with great erudition and eloquence. He ſaid, that it was highly unconſtitutional for any of the three eſtates, king, lords, or commons, to intrench upon the privileges of either of the other: that each had its ſeparate and diſtinct province. The deliberative authority of the ſtate reſting with the houſes of lords and commons, the executive with the king. That the conſtitution had inveſted the two houſes with the deliberative authority of propounding and framing laws, by which the people were to be governed, becauſe they themſelves were the people's repreſentatives, and had given the king only a negative on the laws when propoſed, becauſe he was the executive officer, and had no occaſion for any right of interference in the buſineſs of legiſlation, but juſt ſo much as was neceſſary to defend his own prerogative from the encroachments of the other eſtates, which he was ſufficiently enabled to do, from a power of negativing any law which he thought might be injurious to that prerogative. But this, which was the beauty and ſtrength of the Britiſh conſtitution, and to which the people of Ireland were fully entitled, as participating in that conſtitution, had been wreſted from them, not by the act of the 10th of Henry the VIIth, commonly called Poynings' law, nor by the explanatory acts of Philip and Mary, but by the corrupt and vicious conſtruction and interpretation given to thoſe acts, by the twelve judges of England, but more eſpecially by the deciſion of nine judges of Ireland, whoſe names that deciſion had conſigned to everlaſting infamy. Yet corrupt and venal as that deciſion was, there were two ſubſequent authorities generally urged in ſupport of this falſe conſtruction of the law, that went further than even the judges had ventured to go. Here, he obſerved, that the reigns antecedent to the coming of the family of Stuart, had produced the worſt precedents for the Engliſh, and the reigns ſince the worſt for the Iriſh conſtitution. The firſt warp and perverſion was given in the reign of James I. who came from the throne of Scotland, to that of England and Ireland, filled with Scottiſh prejudices, and entertaining a very exalted notion, indeed, of royal prerogative. In very early times the Scottiſh parliaments enjoyed the full power of enacting all laws; the king only put them in execution, but had not even a

* Parl. Debates, p. 153. Mr. Flood's ſpeech on this important law to Ireland, is a moſt ſolid and explicit ſtatement of the nature, ſpirit and operation of it; and the beſt hiſtorical clue to the developement of the many political manœuvres carried on under its ſanction.

negative

negative on their paſſing. This was much leſs power than a king ought to have; and in time the Scottiſh kings contrived to acquire more; for at the period that parliament enjoyed this plenitude of power, attendance on public buſineſs was thought a very great hardſhip. There are many inſtances of boroughs, &c. praying to be eaſed of the burden of ſending repreſentatives. This reluctance and diſinclination to attend, gave riſe to an alteration in the conſtitution; for in order, as much as poſſible, to eaſe the members of parliament, that their term of attendance might be ſhortened, and that they might only have to decide upon ſuch laws as were to be paſſed, a committee was ſelected under the name of Lords of Articles. The office of this committee, was to prepare all the laws, which the parliament was to paſs, conſequently it became an object of great importance to the Scottiſh kings to have the ſelecting of the perſons, who were to ſit in this committee; and this object they found means to attain. Then began that favorite doctrine, " that the par-
" liament could not take any matter into conſideration till it had been pro-
" pounded on the part of the crown;" and though in the worſt times, it was never fully obeyed, ſo as to make the king abſolute maſter of the parliament, yet the power acquired by the king in nominating the Lords of Articles, put the parliament down as much below its natural dignity, as the king had formerly been. King James attempted to introduce this practice into Ireland, and with but too much ſucceſs; for when ſome oppoſition was made to it in parliament, he ſent over for a committee of the members, whom he ordered to attend him in England, and having lectured them upon the ſublime authority of kings, and the myſterious art of legiſlation; and having informed them, that it was a ſubject above the capacity of parliament, thoſe gentlemen came home much better courtiers than they went, and conſented to a reſolution ſoon after propoſed, " that parliaments were but humble remembrancers
" to his majeſty." Another attempt was made to diveſt parliament of their authority, which, indeed, had no weight as a precedent, being under the infamous adminiſtration of Lord Strafford. The Lords of Ireland he had reduced ſo low, as to make their own journals the record of their ſhame; and the Commons, (whom at his firſt coming he had called together, and from whom he had demanded a ſupply,) pleading the poverty and inability of the nation, he told them, that he ſtood there in the perſon of the king, not to ſupplicate, but demand his right; and if it were refuſed, he would think himſelf bound to uſe the army to enforce it. Mr. Flood then went back to an early

period

period of the Engliſh hiſtory, and proved the manner of originating laws in parliament, on which the king had only a negative, and that even during the moſt deſpotic reigns, till the pernicious principles brought in by the Stuarts, were attempted to be enforced againſt the people's rights; and the unfortunate Charles fell a victim to his own ambition; as did Lord Strafford to the corrupt and tyrannic diſpoſition, which influenced his conduct in Ireland.

He then returned to the law of Poynings itſelf, part of which he read, to ſhew, that it was never intended to take away the right of the parliament, but merely to prevent the governors of Ireland from giving the royal aſſent to laws, that might be injurious to the king. That during the civil wars of York and Lancaſter, this had frequently happened: that the adherents of the York family were numerous in Ireland, having been planted there chiefly in the reign of Henry VI. who ſent the Duke of York, with great power and great revenue, to govern the kingdom for no leſs than ten years, during which time, and afterwards, it became an aſylum to the partizans of that houſe. That Lord Gormanſtown, who preceded Poynings, had given great cauſe for ſuſpicion; nay, it was even thought, that when Symnel was crowned in Dublin, if there had been a parliament ſitting, that parliament would have acknowledged him as rightful king. That voyages between England and Ireland in thoſe days, were much leſs frequent than between Europe and America at preſent, conſequently many things happened there, that were not known till long after in England, for which reaſon, Henry VII. who derived his right from the houſe of Lancaſter, when he choſe that truſty ſervant, Poynings, to be his deputy in Ireland, though he had the utmoſt reliance on his fidelity, yet would not entruſt even him with the power of giving the royal aſſent to laws, till they had been notified to the king himſelf in England, under the ſanction of the great ſeal of Ireland; but, that this was conſidered only as a reſtraint on the governor, not on the parliament, of Ireland; which, by making authentic records, he proved had been the conſtant practice of originating ſuch bills as they thought proper, and ſending them engroſſed on parchment, ſometimes through the viceroy, ſometimes by ſpecial meſſengers of their own, to receive the royal aſſent. He alſo produced the evidence of the parliamentary roll, in the reign of Elizabeth, to confirm this opinion, and to ſhew the ſentiments the parliament then entertained of the law of Poynings by the reluctance, with which they conſented to a temporary ſuſpenſion of its effects in favour of Lord Sydney, and the great compliment they paid

that

that nobleman in the words of that conſent. From this he inferred, that parliament had conſidered this as a popular law, guarding the nation againſt evil governors, but in no wiſe reſtraining the power of either houſe of parliament. He ſaid, that a very unjuſt ſtigma had, therefore, been affixed to the name of Poynings, who was an able and upright governor, and from whoſe adminiſtration that kingdom had derived the greateſt advantages, and whoſe laws were intended for its defence, till perverted by the corrupt opinions of the Judges. It was no wonder, that people had received an ill impreſſion of the law of Poynings, as the very text of that law had been falſified by thoſe, who had the charge of its publication: for inſtead of ſaying that the imperial crown of Ireland was inſeparably annexed, and *appendent* to the imperial crown of England; they had uſed the words, *dependent on*, the moſt invidious perverſion that could poſſibly be introduced. Lord Bacon, who wrote the hiſtory of the reign of Henry VII. and who particularly mentioned Poynings, would not have let ſo great a matter, as a total inverſion of our conſtitution, paſs by the accuracy of his penetrating genius. He mentions the law of Poynings, indeed, but not this law. He ſays of Poynings, "But in parliament he did endeavour to make amends for the meagreneſs of his ſervice in the war, for there was made that memorable act, called Poynings' Act," (not the act they were then debating on) but that "whereby all the ſtatutes of England were made to be of force in Ireland, for before" (ſays Lord Bacon) "they were not, neither were any ſo that had been made in England ſince."

It was aſtoniſhing, that the law of Poynings' ſhould ever have received ſuch a falſe and vicious interpretation. Its meaning could not be underſtood at the diſtance of three hundred years, better than by the people, in whoſe days it was paſſed, or thoſe who ſucceeded for an hundred years after. By them it was conſidered as a boon and a favor; but its operation now deſtroyed the conſtitution of Ireland: that conſtitution, which growing on the ſame ſtem with the conſtitution of Britain, it was formed to protect. The law was not in fault; the vile interpreter only was to blame. An interpreter placed between the king and people: a monſter unknown to the conſtitution, whoſe office was to ſtifle the voice of the people, and to prevent the king from hearing; to render the people dumb, and the king deaf. He would therefore, in order to reſtore the conſtitution to its native vigour, and to obviate the evil effects of miſinterpretation, move two reſolutions, the firſt of which he then propoſed, viz.—

"That a committee be appointed to examine the precedents and records "that day produced, and ſuch others as might be neceſſary to explain the "law of Poynings."

If this were granted, he would follow it with another, to declare from the report of that committee, what the law of Poynings, and what the conſtitution of that country actually were.

The Provoſt anſwered Mr. Flood in a very learned and temperate ſpeech, but inſiſted chiefly on the advantages of that law having been ſo long practiſed, not only without abuſe on the part of England, but infinitely to the benefit of Ireland. He conſidered it a great bleſſing to his country, to be united to England by three bands: the law of Poynings, as explained by the ſtatute of Philip and Mary, united the conſtitution of both realms: the ſtatute of Henry VIII. united the regal crowns of both realms: and the practice of appeals, united the juriſprudence of both realms. The attorney-general oppoſed the reſolution with more than his uſual vehemence. At a late hour Mr. Flood's reſolution was negatived, by a majority of 139 againſt 67.

It may be obſerved, that from the time the public mind had expanded itſelf ſo largely to the contemplation of civil freedom, little had been attempted to be done for the great maſs of the Iriſh people, who were Roman Catholics. The neceſſary effect of the Proteſtants and Catholics uniting in the common purſuit of national freedom and independence, was, that ancient prejudices*

wore

* It may be imagined by ſome, that religious prejudices had long ere this time been eradicated from Ireland, as well as from moſt other countries of Europe. The exiſtence of the unnatural and ferocious code of popery laws at this time almoſt in their whole extent, proves the reverſe: and although the increaſing liberality of the higher orders had for ſome time, particularly under the happy reign of a moſt mild and indulgent monarch, greatly diſcountenanced the rigorous execution of thoſe laws: yet the general habits of education, and the ſtill more powerful workings of ſelf-intereſt, had, for more than a century, ſown, fed, and foſtered, fear and hatred, rather than unanimity, affection, and charity, amongſt the inhabitants of that unfortunate country. The legiſlative code of laws, religious and civil inſtitutions, annual exhortations from the pulpits, daily catechiſtical inſtructions at ſchool and at home, taught Proteſtants of every denomination from their earlieſt youth, to underſtand the terms *Popery and Papiſts*, as terms of enmity, reproach, contempt, guilt, horror and deteſtation. The wonder is, that theſe firſt impreſſions, inculcated into the pliancy of youth, as civil and religious duties, ſhould, at any period of life, wear out or be laid aſide; more eſpecially in a country, where, it is painful to avow, the ſlighteſt elevation above the lower order of the community, has at all times been attended with an unwarrantable ſpirit of tyrannical domination,

wore out, familiarity bred confidence, and patriotiſm diffuſed a general ardor for the emancipation of every loyal Iriſhman, that ſuffered hardſhip, oppreſſion, or ſervitude. A ſpirit of religious toleration pervaded every rank of thoſe, who had enliſted under the banners of civil freedom, and Iriſh independence; and as many had engaged in that cauſe, as commanded the means of arming and equipping themſelves for the rank of volunteers.

Mr. Luke Gardiner (afterwards Lord Mountjoy), who had lately returned from his travels on the continent, had often lamented, that Ireland was the moſt intolerant country in all Europe, which he conſidered as a high diſgrace to the reformed religion. *On the 13th of December, 1781, a converſation took place on the heads of a bill for giving further relief to his majeſty's ſubjects of Ireland profeſſing the Roman Catholic religion, when Mr. Gardiner ſaid, that he was taking the utmoſt pains to bring it forward in ſuch a ſhape, as he hoped would render it acceptable to every gentleman in the houſe, as in a caſe of ſuch great importance unanimity was earneſtly to be deſired.

Sir Richard Johnſon declared he would oppoſe any bill by which Papiſts were permitted to carry arms. It was a matter, in which the nation was deeply concerned, and it was too late in the ſeſſion properly to conſider it.

The attorney general (Scott) found the ſubject ſo connected with religion, with intereſt, with prejudice, with all the moſt inflammable paſſions of the

tion and deſpotic rule over their fellow creatures. It is the keeneſt policy of perverted man, from Mahomet to Machiavel, to render ſacred the maxims, that are moſt congenial with the vicious inclinations of thoſe, on whom they are meant to operate, as meritorious ſervices, or obligatory duties. Through the greateſt part of Ireland, the loweſt claſs of the people were Catholics; they were therefore not only ſubject to the native deſpotiſm of their ſuperiors in rank, but the privileges of the Proteſtant aſcendancy bore heavy upon them, from the peer to the ſquire, and down through every gradation of trade and mechanics to the forty ſhilling freeholder or common ſoldier. The national luſt for rule was ſhamefully encouraged by abuſe; and impunity, for moſt miſdemeanors and aſſaults againſt Papiſts, was generally and in practice conſidered as a part of the privilege of the aſcendancy. Long after the ſenate had ceaſed to call and treat the Catholic as a common enemy, was the term *Popiſh* retained in the country by the ſquirearchy and other abuſers of their rank and fortune in ſociety as the head of the climax of contempt, contumely, and indignation. This is not ſaid *ad invidiam*, but to convince the moſt numerous part of the Iriſh nation, that they receive by the Union the incalculable bleſſing of ſeeing that much abuſed aſcendancy removed, and themſelves raiſed to a level with their neighbours in ſocial life. The hiſtorian is not entitled to claim credit for general aſſertion upon long paſt facts: and to prove modern abuſes by particular charges is too ungracious a taſk for him to attempt. *Experientia doceat.*

* 1 Parl. Deb. p. 175.

human breaſt, that it ought to be ſpoken of with the utmoſt coolneſs and moderation; that it was neceſſary, in the preſent temper of affairs, to uſe ſuch means as would conciliate and draw together in cloſeſt union, the minds of all their fellow ſubjects, and therefore he hoped the houſe would manifeſt the greateſt unanimity on the ſubject.

Mr. Fitzgibbon animadverted upon the inconſiſtency of the laws, and recommended one well-digeſted law on the ſubject, adding, that ſomething ought to be done for the relief of ſo great a part of their fellow ſubjects, whoſe dutiful and loyal behaviour had rendered them deſerving objects of attention.

Mr. Daly declared the ſame ſentiments, but he thought it in vain to hope for unanimity in any thing for the relief of Roman Catholics; for there was a ſpirit, which actuated ſome members in that houſe, and which never would coincide in any thing, that could be propoſed to their advantage.

Mr. Gardiner ſaid, that he would not offer to the houſe, in the heads of a bill, which he was preparing, any clauſe permitting Roman Catholics to carry arms. His firſt intention, he ſaid, was to attach a right of carrying arms to a certain poſſeſſion in land; but for his own part, if he thought it would tend to produce unanimity, he would relinquiſh that idea.

Mr. Holmes ſaid, the penal laws of Ireland were a diſgrace to the legiſlature, and a reproach to humanity; that now when the liberal ſpirit of toleration had ſpread itſelf over almoſt all Europe, was the proper time to tranſplant it into this country, where he hoped to ſee it take root and flouriſh. Every author of great and manly genius, who had conſidered the ſubject, had reprobated religious perſecution as the ſcourge and bane of the human race. Every enlightened politician had endeavoured to deſtroy it. The Emperor of Germany, that friend to mankind and father to his people, had ſet an example of toleration fit for the imitation of the world. Throughout the extent of his vaſt dominions, Proteſtants, who through the narrow prejudices of former times lay under many incapacities (though by no means to be compared with thoſe ſuffered by Iriſh Roman Catholics), were now raiſed to the enjoyment of every right poſſeſſed by their fellow ſubjects; and it would well become the wiſdom and generoſity of that houſe to grant ſuch relief to their fellow ſubjects, who differed from them only in points of faith, but by no means in loyalty and love of their country, as would be a reward for long ſuffering merit.

On

On ſeveral other days* did Mr. Flood bring forward the queſtion of Poyning's law, in which he inſiſted the very vitals of the conſtitution were concerned. He expreſſed his aſtoniſhment, that this opinion was combated by the whole bar, though they always profeſſed themſelves ready to ſupport the conſtitution. He complained with ſome ſorenefs, that this queſtion had been wreſted out of his hands, after he had made it his ſtudy for twenty years: but as the honourable gentleman (Mr. Yelverton) was erecting a temple to liberty, he hoped at leaſt he ſhould be allowed a niche in the fane. Notwithſtanding the extenſion of trade, and the new additional duties granted in the laſt ſeſſion, the expences of the eſtabliſhment, &c. for the two years ending at Lady-Day, 1781, exceeded the produce of the revenue by above 480,000*l.* It was therefore ordered that 300,000*l.* ſhould be raiſed as follows: 260,000*l.* at 4*l.* per cent. and the remaining 400,000*l.* upon treaſury bills as before. The debt of the nation amounted now to 1,551,704*l.* 7*s.* 8*d.* and the penſion liſt to 183,745*l.* 10*s.* $2\frac{1}{4}d.$ On preſenting the money bills the 22d of December, 1781, the ſpeaker delivered his ſentiments as follows:

"MAY IT PLEASE YOUR EXCELLENCY,

"Though no material change in the circumſtances of this "kingdom has taken place ſince the concluſion of the laſt ſeſſion, it ought "to be, and I am perſuaded is, a ſubject of general ſatisfaction to reflect, "that, amidſt the horrors of war, it has ſhared none of its calamities; that "the public tranquillity has been preſerved within, and that the dangers, "with which it was threatened from without, have been averted by his ma"jeſty's paternal care, by your excellency's vigilance and judicious conduct, "and by the voluntary and virtuous exertions of its own loyal and brave "inhabitants: nor is the future proſpect leſs pleaſing, than the view of what "is paſt. Several attempts have been lately made, and with ſome ſucceſs, "to eſtabliſh in this kingdom new manufactures, to revive and improve the

* On one of theſe, viz. the 18th of December, he uſed the following ſtrong language: "As nine "tenths of the preſent inhabitants of this kingdom are allowed to be deſcendants from thoſe Engliſh "ſettlers, and the natives who from time to time were permitted the uſe of the Engliſh laws, it is "clear beyond contradiction, that we were as free as the Engliſh during 500 years. Our liberties "were firſt infringed by the deteſtable Strafford, but the cries of this oppreſſed country had pur"ſued and overtaken him; and he earneſtly prayed, that a like vengeance might light upon the "head of every future tyrant who ſhould attack the conſtitution with the high hand of prerogative, "or the ſlower ſap of corruption." 1 Parl. Deb. p. 184.

"old

" old and to extend its commerce; the lower orders of the people are reco-
" vering from their former indolence and ignorance, and the ſpirit of enter-
" prize and induſtry, the great ſpring of national happineſs, begins to dif-
" fuſe itſelf through the nation. From theſe diſpoſitions in the people, and
" the generous encouragement given to every uſeful undertaking by thoſe
" of higher condition, it ſeems not too much confidence to hope, that the
" time is not far diſtant, when this kingdom will emerge from that ſtate of
" inaction and languor, into which it was ſunk, and that it will aſſume that
" rank in the empire, which belongs to it, and become one of its principal
" pillars. The commons, ſenſible of the benefits they enjoy under your ex-
" cellency's juſt and wiſe adminiſtration, have, with unuſual diſpatch, granted
" all the ſupplies which were required, and have alſo made proviſion for the
" diſcharge of an arrear of 300,000*l.* incurred ſince the laſt ſeſſion; and
" though they have not impoſed on the ſubject any new or additional tax,
" except for the purpoſes of regulation, they are not without hopes, that the
" revenue will hereafter prove adequate to the public ſervice, and that the
" augmentation made by ſuch regulation, and the reformation already com-
" menced in the collection and management of it, will prevent any future
" deficiency."

The Houſe of Commons met for the laſt time before their adjournment on Chriſtmas-Day, when Mr. Gardiner obſerving, that many members had expreſſed their anxiety to know the purport of his intended bill for the relief of the Roman Catholics, and as the houſe had given no orders for printing it, he would have it printed and diſtributed at his own expence, that gentlemen might have an opportunity of maturely conſidering it during the receſs. On which occaſion Mr. Grattan ſaid, he did not riſe to oppoſe the going into a committee, or to promote it, he only intended to obſerve, that it was granted on all ſides that ſome indulgence ſhould be granted to the Roman Catholics; the only difficulty was, how that indulgence ſhould be granted; for his part, he wiſhed the houſe to do it handſomely, for the merits and ſufferings of the Roman Catholics claimed it from them. They were not to be judged by their creed, as underſtood by their adverſaries, their actions proved them dutiful and loyal. They were for a long time not ſuppoſed attached to the conſtitution, and with good reaſon, becauſe they were known not to enjoy its benefits; yet that Roman Catholics might be attached to a conſtitution they could enjoy, was obvious; Catholics had formerly wreſted

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Magna Charta from King John; and recently on two trying occaſions, when the country was threatened with invaſion, and when laſt ſeſſion ſhe was ſtruggling for a free trade and conſtitution, their behaviour then was in the higheſt degree praiſe-worthy; they did not catch the opportunity to make terms, but liberally and unconditionally joined with their Proteſtant fellow-ſubjects in every effort to ſerve their country; by theſe, and by a continual courſe of good behaviour, they had merited the favor of parliament. But this favor ought to be granted with ſome regard to the prejudices of Proteſtants; for even Proteſtants (he ſpoke with reſpect and reverence of the faith which he profeſſed) had their prejudices. With ſome regard to the prejudices of Preſbyterians, whoſe political principles he preferred before all others, parliament ſhould endeavour to make the indulgence agreeable to every party, and beneficial not only to the Catholics, but to the nation; it ſhould be the buſineſs of parliament to unite every denomination of Iriſhmen in brotherly affection and regard to the conſtitution. It had been well obſerved, by a gentleman of firſt-rate underſtanding, a member of the Britiſh parliament, that Ireland could never proſper till its inhabitants were a people; and though the aſſertion might ſeem ſtrange, that three millions of inhabitants in that iſland ſhould not be called a people, yet the truth was ſo, and ſo would continue till the wiſdom of parliament ſhould unite them by all the bonds of ſocial affection. Then, and not till then, the country might hope to proſper.

Immediately after the adjournment of the Houſe of Commons, viz. on 31ſt of January, 1782, Mr. Gardiner gave notice of his intention to bring in heads of a bill for the relief of his majeſty's ſubjects in Ireland profeſſing the Roman Catholic religion: and as no part of the modern hiſtory of Ireland is more intereſting or curious, than the progreſs, variations, ſhiftings, and concluſions of the public mind upon the rights and franchiſes of the Roman Catholics of that kingdom, I ſhall endeavour to trace it as fairly, as the public documents and records of the nation will admit of.* The Hon. John Burke ſaid, he would ever oppoſe the introduction of a bill, that with a ſingle daſh of a pen, aboliſhed all the reſtraints, which the wiſdom of their anceſtors had laid upon that people; that he wiſhed to grant them ſome in-

* 1 Parl. Deb. p. 199.

dulgence,

dulgence, but that the clauſe, which gave them power to obtain perpetuities in land, was, in his opinion, much too extenſive.

Mr. St. George alſo conceived it neceſſary, that the Proteſtants, who were ſo much inferior to the Papiſts in numbers, ſhould have ſome check over them, which would be entirely taken off, if the clauſe granting perpetuities to Papiſts were to paſs.

Mr. Conolly gave his firmeſt and moſt zealous ſupport to the bill, as being founded in juſtice, good policy, and true religion. God forbid! that after having proved the loyalty of the Iriſh Catholics for an hundred years, they ſhould fear to emancipate them from the oppreſſion of laws, which the humanity of their countrymen diſdained to enforce. No law ſhould ſtand on the Statute Book, but ſuch as every friend of his country would aſſiſt to enforce.

Sir H. Langriſhe did not ſuppoſe, that the houſe would for a moment heſitate to receive a bill, whoſe object was to liberate one million and a half of loyal Iriſh ſubjects, ſuffering under laws, that preſented the higheſt picture of exceſſive malice. He aſked, did the conduct of the Iriſh Catholics deſerve ſuch treatment? If not, ſaid he, in the name of God, let the bill come forward: let us conſider what is due to our own dignity, what is due to the merits of our ſuffering countrymen; they are a people, that deſerve our favor, and therefore let us not ſhew an unwillingneſs to naturalize ſuch a multitude, who are aliens in their own country.

Mr. Ponſonby thought it would be extremely wrong to ſhew any unwillingneſs to receive the bill. A people of ſuch exemplary loyalty had his beſt wiſhes.

Mr. Brownlow ſaid, that whatever could tend to unite the people of the country, and ſtrengthen their attachment to it, deſerved the moſt ſerious attention of the legiſlature. The moſt free and unreſtrained toleration in all religious matters ought to be granted to every man; a good ſubject ſhould never be queſtioned as to his articles of faith, but ſhould enjoy the full benefit and protection of the law. There was no other country on the face of the earth, where ſeven tenths of the whole people were excluded from the benefits of the law, and the privileges of their fellow ſubjects, merely becauſe they differed in religious opinions; yet, under this oppreſſion, the Roman Catholics had retained their loyalty and love to their country, and it was but

juſtice

juſtice to grant them relief. Leave was given to bring in the heads of the bill without any oppoſition.

On the 5th of February, Mr. Gardiner being indiſpoſed, Mr. Dillon preſented heads of a bill for the relief of the Roman Catholics, which brought on a debate, in which ſeveral other leading members of the houſe declared their ſentiments and diſpoſitions upon the ſubject. Sir Hercules Langriſhe and the Provoſt were ſtrongly for the meaſure. Mr. John Burke finding that he could not effectually oppoſe the bill, moved, that it ſhould be an inſtruction to the committee, to introduce into the bill a full recital of all the acts or clauſes of acts intended to be repealed; in which he was ſupported by Mr. Maſon and Mr. Parnell, and oppoſed by Mr. Fitzgibbon and the reſt of the houſe. Sir Boyle Roche ſaid, that whenever the ſubject was mentioned, he was always ſtruck with the greatneſs of the object, no leſs than the delivering millions of his fellow ſubjects, who for a hundred years had groaned in bondage, and reſtoring them to the enjoyment of liberty in their native country. He ſaid, that no man in the nation denied, that upon every principle of juſtice, honor, truth, and public good, the Roman Catholics of Ireland ought to be ſet free, and aſked whether they could ever be a great and happy people till it were accompliſhed. He hoped no man would think himſelf intereſted in ſtill fomenting diviſion and diſpute; and though allowance muſt be made for prejudice, yet he hoped no man in the nation was malignant enough to gratify his ſpleen by the ruin of his country. The poor unhappy Roman Catholics, for a hundred years had laboured under the moſt cruel hardſhips, that prejudice could impoſe; yet ſuch was their love of their country, that even oppreſſion could not ſhake their fidelity; they ſcarcely uttered their diſtreſs, or if a ſigh eſcaped, it was directed to the compaſſion of their generous countrymen, whoſe love of liberty, they hoped, would at laſt impart that bleſſing to them.

Mr. Huſſey Burgh proteſted, that when the houſe was about to repeal all the laws that oppreſſed Roman Catholics, he ſhould never chuſe to look back upon that cruel code, which would ſtand as an impeachment to the Proteſtant name, whoſe greateſt glory was univerſal toleration and benevolence.

On the 15th of February, the order of the day for going into the Catholic bill having been called, a converſation took place upon the propriety of its being then committed, when the houſe, which was uncommonly crowded with

ſtrangers, was appalled by Mr. Fitzgibbon's apprizing them,* that till that morning he had never conſidered the bill as dangerous; but on reading it over carefully, the firſt clauſe had ſtruck him as a repeal of the Act of Settlement, the Act of Forfeiture, and the Act of Reaſſumption; that if ſo, it muſt deſtroy the new titles under the Popery laws, and entangle the whole kingdom in a maze of confuſion. He therefore intreated the friends of the bill to agree with him in putting it off, till thoſe doubts, which had ariſen from the firſt clauſe were done away; or till that clauſe could be modified, ſo as to grant relief to the Catholics without injuring the perſons holding under the new titles. He declared himſelf a firm friend to toleration, and he wiſhed to allow the Catholics a power of obtaining perpetuities, but thought that three or four days delay could not injure their proſpect of relief; though by allowing time to make the bill more perfect, it might ſave the nation from much diſtreſs.

Mr. Metge expreſſed the ſame opinion; upon which Mr. Grattan obſerved, that though the bill were incomplete, it was no cauſe for not going into a committee; it was that very cauſe, that rendered a committee neceſſary. He then went into a detail of the ſundry delays and interruptions the bill had met with in its progreſs to maturity, and finiſhed with declaring, that if it were not ripe then, it never would be ſo. Mr. Grattan diſclaimed every intention of diſturbing property, and was willing to alter the clauſe complained of in any way, that the learned gentlemen of the bar might think would make it ſafe.

The Attorney General, adverting to the importance of the ſubject before the houſe, ſaid, that the opinion expreſſed by Mr. Fitzgibbon, of the dangerous tendency of the ſweeping clauſe, had ſtruck the houſe with a panic, and if the bill were then to come forward, it would inevitably fail of ſucceſs. Many liberal and generous ſentiments had been expreſſed on the ſubject of giving toleration to Roman Catholics. He heartily ſubſcribed to the wiſdom and humanity, from whence thoſe ſentiments aroſe. He was particularly happy in hearing thoſe ſentiments from gentlemen, who repreſented the northern counties; on that ſubject, their opinions ſhould have the greateſt weight, and as there were no men, who valued liberty higher, there were none would

* 1 Parl. Deb. p. 241.

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be more forward to beſtow it on their countrymen. He had himſelf been a witneſs of their wiſdom, and the ſpirit of toleration that reigned amongſt them. He had ſeen in Monaghan, at the ſame moment, three prodigious large congregations, flowing out from a meeting-houſe, a church, and a maſs-houſe; and as the individuals that compoſed them had joined in the ſtreet, they have blended and united into one body, with every mark of affection and good will: that was true religious toleration, and the moſt ſtriking examples of it were to be found in the north. He would not then proceed further, than merely to commit the bill, to ſhew the people that the houſe was ſincere, and fully reſolved to give them the utmoſt, that could ſafely be granted.

The houſe then went into a committee on the bill, when it was read, and the further conſideration of it adjourned to a near day.

On the 18th of the month, Mr. Gardiner, who had been abſent on the 16th, ſtated in the houſe, that the objection taken by his friend, (Mr. Fitzgibbon) which had prevented the buſineſs from going on, had been examined by the moſt eminent gentlemen at the bar, both in and out of the houſe, who were unanimouſly of opinion, that it did not contain any of that miſchief announced by Mr. Fitzgibbon, which had ſpread ſo much alarm. Mr. Walſh, a barriſter, and Meſſrs. Dillon, Grattan, and Maſon, expreſſed their ſatisfaction, that the objection to the progreſs of the bill had been happily done away. Even Mr. Fitzgibbon abandoned his own opinion.

The awful and critical ſituation of the great body of the Iriſh people, with arms in their hands, and freedom in their hearts, calls our attention to what was going forwards out of parliament. We have traced the volunteers riſing gradually into the uſe of arms, organized into diſcipline, and almoſt united in one common object, which had now reſolved itſelf into the ſimple determination of attaining an unequivocal legiſlative independence. In this ſituation, the officers of the ſouthern battalion of Lord Charlemont's Armagh regiment, took the lead, and gave movement to the important meaſures of the volunteer army: they met, and came to the following reſolutions:

" Firſt Ulſter Regiment, commanded by the Earl of Charlemont.

" At a full meeting, holden at Armagh, on Friday, the 28th day of De-
" cember, 1781, of the officers and delegates of the ſouthern battalion of the
" ſaid regiment, conſiſting of eleven companies, purſuant to adjournment.

" Francis Evans, Eſq. in the chair. The following reſolutions were una-
" nimouſly agreed to, and ordered to be printed in all the newſpapers pub-

" liſhed within the province of Ulſter, and in the Volunteer Journal of the " City of Dublin.

" *Reſolved*, That with the utmoſt concern, we behold the little attention " paid to the conſtitutional rights of this kingdom, by the majority of thoſe, " whoſe duty it is to eſtabliſh and preſerve the ſame.

" *Reſolved*, That to avert the impending danger from the nation, and to " reſtore the conſtitution to its original purity, the moſt vigorous and effec- " tual methods muſt be purſued, to root out corruption and court influence " from the legiſlative body.

" *Reſolved*, That to open a path towards the attaining of this deſirable " point, it is abſolutely requiſite that a meeting be held in the moſt central " town of the province of Ulſter, which we conceive to be Dungannon, to " which ſaid meeting every volunteer aſſociation of the ſaid province is moſt " earneſtly requeſted to ſend delegates, then and there to deliberate on the " preſent alarming ſituation of public affairs, and to determine on, and pub- " liſh to their country what may be the reſult of ſaid meeting.

" *Reſolved*, That as many real and laſting advantages may ariſe to this " kingdom, from ſaid intended meeting being held before the preſent ſeſſion " of parliament is much farther advanced, Friday, the 15th day of February " next, at ten o'clock in the forenoon, is hereby appointed for ſaid meeting, " at Dungannon as aforeſaid.

" *Reſolved*, That as at ſaid meeting, it is highly probable the idea of form- " ing brigades, will be agitated and conſidered, the ſeveral corps of volunteers " who ſend delegates to ſaid meeting, are requeſted to veſt in them a power " to aſſociate with ſome one of ſuch brigades as may be then formed.

" FRANCIS EVANS, Chairman."

The meeting, in conſequence of this requiſition, was one of the moſt important tranſactions in the modern annals of Ireland. As ſoon as this bold call appeared, the Caſtle took the alarm. Captain Evans was the oſtenſible man, but to take him up might bring things to immediate extremities; to take no notice of it might alſo be dangerous; a middle courſe was determined on, and every poſſible means were uſed to ſuppreſs the meeting: the words of the requiſition were animadverted on; and many, even of the beſt friends of their country, wiſhed no meeting had been called.

As the awful 15th day of February, 1782, approached, doubt and anxiety appeared in every countenance; men of every deſcription were deeply con-

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cerned in the event; and perhaps there never was a period more critical to a nation.

The adminiſtration was conſidered by them all to have hitherto treated the demands of the people with ſcorn: and they charged the parliament with having leagued with adminiſtration againſt them: the people with arms in their hands, was bent upon one object, but had no chain of correſpondence.

Unanimity among the volunteers, could alone give efficacy to their reſolves; and thus circumſtanced, a meeting was formed, at which Lord Charlemont, Mr. Flood, Mr. Grattan, Mr. Stewart (member for Tyrone) and Mr. Dobbs, a barriſter, attended, at which the following reſolutions were ſettled and arranged both as to the order and the perſons, by whom they ſhould be reſpectively moved.

" Ulſter Volunteers.

" At a meeting of the repreſentatives of one hundred and forty-three corps " of volunteers of the province of Ulſter, held at Dungannon, on Friday, the " 15th day of February, 1782, Colonel William Irvine in the chair.

" Whereas it has been aſſerted, that volunteers, as ſuch, cannot with pro- " priety debate or publiſh their opinions on political ſubjects, or on the con- " duct of parliament, or public men.

" 1. *Reſolved* unanimouſly, that a citizen, by learning the uſe of arms, " does not abandon any of his civil rights.

" 2. *Reſolved* unanimouſly, that a claim of any body of men other than " the king, lords, and commons, of Ireland, to make laws to bind this king- " dom, is unconſtitutional, illegal, and a grievance.

" 3. *Reſolved*, (with one diſſenting voice only,) that the powers exerciſed " by the privy council of both kingdoms, or under colour, or pretence of the " law of Poynings, are unconſtitutional and a grievance.

" 4. *Reſolved* unanimouſly, that the ports of this country are by right " open to all foreign countries not at war with the king; and that any burthen " thereupon, or obſtruction thereto, ſave only by the parliament of Ireland, are " unconſtitutional, illegal, and a grievance.

" 5. *Reſolved*, (with one diſſenting voice only,) that a mutiny bill not li- " mited in point of duration from ſeſſion to ſeſſion, is unconſtitutional and a " grievance.

" 6. *Reſolved* unanimouſly, that the independence of judges is equally " eſſential to the impartial adminiſtration of juſtice in Ireland as in England;

" and

" and that the refuſal or delay of this right to Ireland, makes a diſtinction, " where there ſhould be no diſtinction, may excite jealouſy where perfect " union ſhould prevail; and is in itſelf unconſtitutional and a grievance.

" 7. *Reſolved*, (with eleven diſſenting voices only,) that it is our decided " and unalterable determination to ſeek a redreſs of theſe grievances; and we " pledge ourſelves to each other, and to our country, as freeholders, fellow- " citizens, and men of honor, that we will at every enſuing election, ſupport " thoſe only, who have ſupported, and will ſupport us therein; and that we " will uſe all conſtitutional means to make ſuch our purſuit of redreſs ſpeedy " and effectual.

" 8. *Reſolved*, (with one diſſenting voice only,) that the right honorable " and honorable the minority in parliament, who have ſupported theſe our con- " ſtitutional rights, are entitled to our moſt grateful thanks; and that the " annexed addreſs be ſigned by the chairman, and publiſhed with theſe reſolu- " tions.

" 9. *Reſolved* unanimouſly, that four members from each county of the " province of Ulſter, (eleven to be a quorum) be, and are hereby appointed a " committee till next general meeting, to act for the volunteer corps here re- " preſented, and, as occaſion ſhall require, to call general meetings of the pro- " vince, viz.

" Lord Viſcount Enniſkillen, Colonel Mervyne Archdall, Colonel William " Irvine, Colonel Robert M'Clintock, Colonel John Ferguſon, Colonel John " Montgomery, Colonel Charles Leſlie, Colonel Francis Lucas, Colonel Tho- " mas Morris Jones, Colonel James Hamilton, Colonel Andrew Thompſon, " Lieut. Colonel Charles Neſbitt, Lieut. Colonel Alexander Stewart, Major " James Paterſon, Major Francis Dobbs, Major James M'Clintock, Major " Charles Duffin, Captain John Harvey, Captain Robert Campbell, Captain " Joſeph Pollock, Captain Waddell Cunningham, Captain Francis Evans, " Captain John Cope, Captain James Dawſon, Captain James Acheſon, Cap- " tain Daniel Eccles, Captain Thomas Dixon, Captain David Bell, Captain " John Coulſton, Captain Robert Black, the Rev. William Crawford, Mr. " Robert Thompſon.

" 10. *Reſolved* unanimouſly, that ſaid committee do appoint nine of their " members to be a committee in Dublin, in order to communicate with ſuch " other volunteer aſſociations in the other provinces, as may think proper to

" come

" come to ſimilar reſolutions, and to deliberate with them on the moſt conſti-
" tutional means of carrying them into effect.*

" In conſequence of the above reſolutions, the committee have appointed
" the following gentlemen for ſaid committee, three to be a quorum, viz.

" Colonel Mervyn Archdall, Colonel William Irvine, Colonel John Mont-
" gomery, Colonel Thomas Morris Jones, Major Francis Dobbs, Captain
" Francis Evans, Captain James Dawſon, Captain Joſeph Pollock, Mr. Ro-
" bert Thompſon.

" 11. *Reſolved* unanimouſly, that the committee be, and are hereby in-
" ſtructed to call a general meeting of the province, within twelve months from
" this day, or in fourteen days after the diſſolution of the preſent parliament,
" ſhould ſuch an event ſooner take place.

" 12. *Reſolved* unanimouſly, that the court of Portugal have acted to-
" wards this kingdom, being a part of the Britiſh empire, in ſuch a manner as
" to call upon us to declare, and pledge ourſelves to each other, that we will
" not conſume any wine of the growth of Portugal; and that we will, to the ex-
" tent of our influence, prevent the uſe of ſaid wine, ſave and except the wine
" at preſent in this kingdom, until ſuch time as our exports ſhall be received
" in the kingdom of Portugal, as the manufactures of part of the Britiſh em-
" pire.

" 13. *Reſolved*, with two diſſenting voices only, to this and the following
" reſolution, that we hold the right of private judgment in matters of religion,
" to be equally ſacred in others as in ourſelves.

" 14. *Reſolved*, therefore, that as men, and as Iriſhmen, as Chriſtians, and
" as Proteſtants, we rejoice in the relaxation of the penal laws againſt our
" Roman Catholic fellow-ſubjects; and that we conceive the meaſure to be
" fraught with the happieſt conſequences to the union and proſperity of the
" inhabitants of Ireland.

* In order to let the reader into the general ſpirit of the volunteers, and how faithfully the patriots repreſented it to the parliament and alſo how fully aware of what then was the voice of the people, ſeveral of the members were, who, notwithſtanding, reſiſted it in the ſenate; ſeveral addreſſes and letters from different volunteer corps, to the minority in parliament, and other individual members, with their anſwers, may be ſeen in the Appendix, No. LXVII. They are authentic documents of the then prevailing ſpirit of the Iriſh nation. A complete collection of the reſolutions of the volunteers, grand juries, &c. of Ireland, which followed the celebrated reſolves of the 1ſt Dungannon Diet, was publiſhed at Dublin in 1782, by Mr. C. H. Wilſon, a gentleman univerſally eſteemed for his liberality, wit, humour, information, and learning.

" 15. *Re-*

" 15. *Reſolved* unanimouſly, that the Dundalk Independent Troop of " Light Dragoons, commanded by Captain Thomas Reed, having joined a " regiment of this province, the Firſt Newry Regiment, or Newry Legion, and " petitioning to be received as part of this body, and under its protection, is " accordingly hereby received.

" 16. Whereas a letter has been received by the chairman of this meeting, " from the united corps of the county of Cavan, Colonel Ennery in the " chair, declaring their readineſs to co-operate with their brother volunteers " in every conſtitutional ſupport of their rights.

" *Reſolved* unanimouſly, that the thanks of this meeting be preſented " to the ſaid united corps of the county of Cavan, for their ſpirited reſolu- " tion; and that a copy of the proceedings of this meeting be incloſed by the " chairman to Colonel Ennery, to be by him communicated to the ſaid united " corps; and that they ſhall have a right, if they chooſe, to aſſociate with the " corps repreſented at this meeting, to nominate four members to act with " thoſe already appointed, as a committee by the delegates at this meeting.

" 17. *Reſolved* unanimouſly, that the thanks of this meeting be preſented " to Captain Richardſon, and the Dungannon Light Company, for their po- " liteneſs in mounting guard this day.

" 18. *Reſolved* unanimouſly, that the thanks of this meeting be preſented " to the Southern Battalion of the firſt Ulſter Regiment, commanded by the " Earl of Charlemont, for that patriotic zeal, which we are convinced induced " them to call this meeting.

" 19. *Reſolved* unanimouſly, that the thanks of this meeting be preſented " to Colonel William Irvine, for his particular propriety and politeneſs of " conduct in the chair.

" 20. *Reſolved* unanimouſly, that the thanks of this meeting be preſented " to Captain James Dawſon, for his readineſs in undertaking the office of " ſecretary to this meeting, and for his particular attention and ability in the " laborious duty thereof.

" 21. *Reſolved* unanimouſly, that theſe reſolutions be publiſhed.

" To the Right Honorable and Honorable the Minority in both Houſes of Parliament.

" My Lords and Gentlemen,

" WE thank you for your noble and ſpirited, though " hitherto ineffectual efforts, in defence of the great conſtitutional and com- " mercial

" mercial rights of your country. Go on! the almoſt unanimous voice of " the people is with you; and in a free country the voice of the people muſt " prevail. We know our duty to our ſovereign, and are loyal. We know " our duty to ourſelves, and are reſolved to be free. We ſeek for our rights, " and no more than our rights; and, in ſo juſt a purſuit, we ſhould doubt the " being of a Providence, if we doubted of ſucceſs.

" Signed by order,

WILLIAM IRVINE, Chairman.

" IN COMMITTEE.

" *Reſolved* unanimouſly, that the corps of this province, not repreſented at " the meeting held this day, be, and they are hereby invited to join in the re- " ſolutions of ſaid meeting, and to become members of the ſaid aſſociation on " the moſt equal footing.

" *Reſolved* unanimouſly, that ſuch corps as may chooſe to join the ſaid aſſo- " ciation, be, and they are hereby requeſted to communicate their intentions " to our ſecretary, Captain Dawſon, Union Lodge, Loughbrickland, who will " lay the ſame before the chairman and committee.

" WILLIAM IRVINE, Chairman."

Thus ended the buſineſs of that ever memorable day. The place they met in was the church: and when the account of it reached Dublin, the friends of their country rejoiced at the temper and firmneſs of the proceedings: their enemies were diſappointed in every expectation; none of that violence appeared, which diſtinguiſhes faction from real public ſpirit: they were aſtoniſhed and confounded with that noble benevolence and toleration, which muſt at once convince the Roman Catholics, that the ſuppoſed hatred of the Proteſtants of the north, exiſted only in the minds of the malevolent. To divide and conquer, had been too long the odious policy of that country: that of Dungannon, was to unite and be victorious.

As theſe reſolutions made their public appearance, they were admired even by their enemies. The volunteers from every quarter paid their tribute of applauſe, and erected them as the ſtandard, to which all repaired: from eaſt, weſt, north, and ſouth, they were re-echoed. Committees of correſpondence were formed, and the national committee crowned the buſineſs.

Within five days after the paſſing of the Dungannon reſolutions, when the Roman Catholic Bill was in the committee,* Mr. Gardiner ſaid, that he was

* Viz. on the 20th of February, 1782. 1 Parl. Debates, p. 148.

happy to find that liberal ſpirit of toleration, which had originated in that houſe, had ſo univerſally diffuſed itſelf through the whole kingdom; and he rejoiced, that where ill-nature had ſuppoſed that prejudice would prevail, benevolence was ſeen to flouriſh. The delegates at Dungannon had manifeſted that the people of the north were as forward to grant toleration, as the Catholics could be to receive it. An objection, he ſaid, had been ſtarted to the bill, as originally introduced, which had ſo much weight with the houſe, as induced him to poſtpone it to that day. He hoped, by an amendment, which he now intended to make, to obtain the unanimous approbation of the houſe; and though he did not in it recite all that multifarious code, through the long and dark labyrinth of which, unenlightened by any ray of mercy, he deemed it impoſſible to find his way; yet, by ſimplifying the clauſe objected to, he conceived that the wiſhes of every gentleman would be gratified; they would clearly ſee what was granted to Catholics, and he hoped would think the grant but reaſonable.

It was further urged, that if this law ſhould paſs, there would be no longer any reſtraint on Roman Catholics. But was it not a reſtraint upon a man, that he could hold no truſt or office in the ſtate? That he could not be a member of parliament, a juſtice, or a grand juror of the peace? That he could not ſerve in the army of his country; have a place in the revenue; be an advocate or attorney; or even become a freeman of the ſmalleſt corporation? If gentlemen laboured under theſe incapacities themſelves, would they think them no reſtraints? He had divided the indulgencies, which he thought ought to be granted to Roman Catholics, into five heads, four of which he intended to move as amendments to the clauſe. The firſt, and that which he then intended to propoſe to the committee, reſpected their enjoyment of property: the ſecond, the free exerciſe of religion: the third, education: the fourth, marriage: and the fifth, which, from the diſpoſition of the committee, he did not then think expedient to agitate, regarded ſelf-defence.

Mr. Fitzgibbon exerted himſelf in ſupporting the cauſe; he explained the nature of the privileges which were going to be granted; and concluded, that though it would be improper to allow papiſts to become proprietors of boroughs, there was no good reaſon why they ſhould not poſſeſs eſtates in countries, or why Proteſtant tenants holding under them, ſhould not enjoy a right of voting for members of parliament. The attorney-general, Sir Hercules Langriſhe, Sir Henry Cavendiſh, Mr. Ogle, the Provoſt, Mr. Walſh,

Mr.

Mr. D. Daly, Sir Boyle Roche, and Mr. Bagnal, ſpokely warmly for the bill: Mr. St. George, Mr. Wynne, and Colonel Wynne oppoſed it. Mr. Flood ſaid, that he always wiſhed to emboſom the Roman Catholics in the body of the ſtate; yet without courting praiſe on one hand, or fearing cenſure on the other, he would deliver his free opinion on this great ſubject. About five years ago, ſaid he, a law was paſſed, granting the Roman Catholics infinitely leſs than was then propoſed: the day was celebrated with rejoicing, and it was thought they had reconciled every party. He was ſorry to hear gentlemen ſpeak as if nothing had been done for them. In the former laws, leaſes for years were granted to them upon the avowed principle of reſtraining them from any influence in elections. This law went beyond toleration, it gave them a power, and tended to make a change in the ſtate. If they gave them equal power with the Proteſtants, the preſent conſtitution could not ſurvive. Though they wiſhed to extend toleration to Roman Catholics, they did not wiſh to ſhake the government; they ſhould allow them to purchaſe lands, but ſhould carefully guard againſt their poſſeſſing any power in the ſtate.

Mr. Grattan ſaid, "I object to any delay which can be given to this clauſe; we have already conſidered the ſubject on a larger ſcale, and this is but a part of what the clauſe originally contained. We have before us the example of England, who four years ago granted Catholics a right of taking land in fee; the queſtion is merely, whether we ſhall give this right or not, and if we give it, whether it ſhall be accompanied by all its natural advantages? Three years ago, when this queſtion was debated in this houſe, there was a majority of three againſt granting Catholics eſtates in fee, and they were only allowed to take leaſes of 999 years. The argument then uſed againſt granting them the fee was, that they might influence elections. It has this day been ſhewn, that they may have as effectual an influence by poſſeſſing leaſes of 999 years, as they can have by poſſeſſing the fee; at that time, I do declare, I was ſomewhat prejudiced againſt granting Roman Catholics eſtates in fee, but their conduct ſince that period has fully convinced me of their true attachment to this country. When this country had reſolved no longer to crouch beneath the burthen of oppreſſion, that England had laid upon her; when ſhe armed in defence of her rights, and a high-ſpirited people demanded a free trade, did the Roman Catholics deſert their countrymen? No: they were found amongſt the foremoſt. When it was afterwards thought neceſſary to aſſert a free con-

ſtitution, the Roman Catholics diſplayed their public virtue; they did not endeavour to take advantage of your ſituation; they did not endeavour to make terms for themſelves, but they entered frankly and heartily into the cauſe of the country; judging by their own virtue, that they might depend upon your generoſity for their reward. But now after you have obtained a free trade, after the voice of the nation has aſſerted her independence, they approach this houſe as humble ſuppliants, and beg to be admitted to the common rights of men. Upon the occaſions I have mentioned, I did carefully obſerve their actions, and did then determine to ſupport their cauſe whenever it came before this houſe, and to bear a ſtrong teſtimony of the conſtitutional principles of the Catholic body. Nor ſhould it be mentioned as a reproach to them, that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a Magna Charta, a Britiſh conſtitution. In 1779, when the fleets of Bourbon hovered on our coaſts, and the Iriſh nation rouſed herſelf to arms, did the Roman Catholics ſtand aloof? Or did they, as might be expected from their oppreſſed ſituation, offer aſſiſtance to the enemy? No: they poured in ſubſcriptions for the ſervice of their country, or they preſſed into the ranks of her glorious volunteers.

" It has been ſhewn, that this clauſe grants the Roman Catholics no new power in the ſtate; every argument therefore, which goes againſt this clauſe goes againſt their having leaſes for 999 years: every argument, which goes againſt their having leaſes for 999 years, goes againſt their having any leaſes at all: and every argument, which goes againſt their having property, goes againſt their having exiſtence in this land. The queſtion is now, whether we ſhall grant Roman Catholics a power of enjoying eſtates, or whether we ſhall be a Proteſtant ſettlement or an Iriſh nation? Whether we ſhall throw open the gates of the temple of liberty to all our countrymen, or whether we ſhall confine them in bondage by penal laws? So long as the penal code remains, we never can be a great nation; the penal code is the ſhell, in which the Proteſtant power has been hatched, and now it is become a bird, it muſt burſt the ſhell aſunder, or periſh in it. I give my conſent to the clauſe in its principle, extent, and boldneſs, and give my conſent to it as the moſt likely means of obtaining a victory over the prejudices of Catholics, and over our own. I give my conſent to it, becauſe I would not keep two millions of my fellow ſubjects in a ſtate of ſlavery; and becauſe, as the mover of the declaration

claration of rights, I ſhould be aſhamed of giving freedom to but ſix hundred thouſand of my countrymen, when I could extend it to two millions more."

Fortunately for the Catholics, Mr. Gardiner's bill was not made a government queſtion, or otherwiſe it would probably have fallen before the ſame majority, that had uniformly oppoſed every conſtitutional queſtion, that had been brought before them ſince the commencement of the American war. The nearer that fatal miniſtry drew to its diſſolution, the more violent were its agonizing ſtruggles againſt the patriotic efforts of Ireland to obtain a free and independent conſtitution. Within the octave of the great civic feſtival at Dungannon, Mr. Grattan, as the herald and oracle of his armed countrymen, once more addreſſed the Houſe of Commons.* "After the ample diſcuſſion," ſaid he, "in this houſe of the preſent queſtion of right on the 19th of April, 1780, and the univerſal reprobation of the aſſumption of the Britiſh parliament, to bind this kingdom, then received, I had been ſilent on that ſubject, if that parliament had not ſince that time continued its tyrannical and unconſtitutional aſſumption, by enacting ſeveral laws to bind Ireland, which I have in my hand, as alſo a proclamation in the Iriſh Gazette, where the execution of a Britiſh ſtatute is enforced: meaſures that evidently ſhew, that the Britiſh nation, ſo far from relinquiſhing the claim of uſurped authority in this kingdom, have ſtill the ſame ſpirit of making laws for us, which they keep alive by renewing their claim on every occaſion. Theſe freſh inſtances of Britiſh uſurpation, added to that diſgraceful and unrepealed act of the 6th of George I. which declares Ireland bound at all times by the legiſlature of Great Britain, makes it neceſſary at this time for the parliament of Ireland to come to an explanation concerning its privileges, and the injured rights of the nation. And what are the boaſted relaxations Britain has granted to us? The firſt was in 1778, as contemptible in principle as in effect; for after a bar of lawyers had been brought to plead againſt Ireland in the Engliſh Houſe of Commons, we are permitted to export every thing except our manufactures. Their favor was an inſult and aggravation to our miſery. The miniſter ſends over to know the cauſes of our diſtreſſes, and he is anſwered from his agents here, that it was done away, and that we were ſatisfied by being permitted to cultivate tobacco. The ſecond period

* On the 22d of February, 1782. 1 Parl. Deb. p. 266.

was

was in 1779, when government abdicated the defence of Ireland, and Ireland appeared in arms; the miniſter now changed his tone, he glanced a temporary gleam of hope upon our ſhields; he gave us every thing, but kept the power of taking it back; he retained a mutiny bill and the poſt-office act. The third period was a miniſterial addreſs of thanks, evidently calculated to diſſolve the union of the people; it had its effect in a paroxiſm of eaſe, and when it was known, that the ſtrength of this houſe was diſſolved, and that the glory of 1779 was no more, an order comes over to oppoſe on every occaſion the latent claims of Ireland; to oppoſe an Iriſh mutiny bill, to alter the ſugar bill; and when Lord Hillſborough found you had loſt all veneration for yourſelves, he loſt it for you likewiſe. The reprobated meaſure of a perpetual mutiny bill followed; but you have not done with it yet, you have ſtabbed your country, and the wound is feſtering. Emboldened by your diſſolution, Engliſh acts binding Ireland were paſſed laſt winter. Is the claim of the Britiſh parliament to legiſlate for this kingdom given up, as I have heard ſome gentlemen ſay in this houſe? How futile and ridiculous now do theſe arguments appear, that declared the return of the Iriſh mutiny bill was a renunciation of legiſlation on the part of England. How futile and abſurd are all the arguments that teemed on that occaſion from the government preſs? I am for tranquillity; it is for honorable tranquillity; but when I ſee an adminiſtration, unable to make a blow againſt an enemy, tyranize over Ireland, I am bound to exert every power to oppoſe it.

"Ireland is in ſtrength; ſhe has acquired that ſtrength by the weakneſs of Britain, for Ireland was ſaved when America was loſt: when England conquered, Ireland was coerced; when ſhe was defeated, Ireland was relieved; and when Charles-town was taken, the mutiny and ſugar bills were altered. Have you not all of you, when you heard of a defeat, at the ſame inſtant, condoled with England, and congratulated Ireland?

"If England were for a moment awake to her own intereſts, ſhe would come forward, and invite us to her arms, by doing away every cauſe of jealouſy. How, but by the ſtricteſt domeſtic union, can Great Britain, with only eight millions of people, oppoſe the dreadful combination of ſeven millions in Spain, with twenty-four millions in France, and two in Holland? Will ſhe caſt off three millions of brave and loyal ſubjects in Ireland, at ſo critical and eventual a time?

"An Iriſh army, the wonder of the world, has now exiſted for three years,

years, where every ſoldier is a freeman, determined to ſhed the laſt drop of blood to defend his country, to ſupport the execution of its laws, and give vigour to its police. The enemy threaten an invaſion, the Iriſh army comes forward, adminiſtration is ſtruck dumb with wonder, their deputies in their military dreſs go up to the Caſtle, not as a ſervile crowd of courtiers attending the lord lieutenant's levee, but as his protectors, while the cringing crowd of ſycophants ſwarm about the treaſury, and, after having thrown away their arms, offer nothing but naked ſervitude.

" You are now loſing the Britiſh conſtitution, which by compact you were to poſſeſs; two councils, with more than parliamentary power; dependent judges, a mutiny bill loſt, and governors like the Roman pro-conſuls in diſtant provinces are ſent over to fleece you.

" A general election is ſhortly to take place; what will be your anſwer to thoſe, who have ſent you hither, when you reſign your delegated truſt, and they aſk you, where are our rights? Where is our ſugar bill? Where our mutiny bill?

" What will be the conſequence of your not explaining your rights now? When a peace happens it will then be too late; your iſland will be drained of its people, the emigrants will ſay, let us prefer freedom in America to ſlavery at home, and ceaſe to be his majeſty's ſubjects here, to become his equals there. Let us not therefore ſuffer the ſame men, whoſe infamous arts were reprobated in America, to ſucceed here." He then made his motion for an addreſs to his majeſty,

" To aſſure his majeſty, of their moſt ſincere and unfeigned attachment to " his majeſty's perſon and government.

" To aſſure his majeſty that the people of Ireland were a free people; that " the crown of Ireland was a diſtinct kingdom, with a parliament of her own, " the ſole legiſlature thereof.

" To aſſure his majeſty, that by their fundamental laws and franchiſes, " which they on the part of this nation claimed and challenged as their " birth-right, the ſubjects of that kingdom could not be bound, affected, or " obliged, by any legiſlature, ſave only the King, Lords, and Commons, of " that his majeſty's realm of Ireland; nor was there any other body of men, " who had power or authority to make laws for the ſame.

" To aſſure his majeſty, that his majeſty's ſubjects of Ireland conceived, " that in that privilege was contained the very eſſence of their liberty, and

" that

" that they tendered it as they did their lives, and accordingly had with one " voice declared and proteſted againſt the interpoſition of any other parlia- " ment in the legiſlation of that country.

" To aſſure his majeſty, that they had ſeen with concern, the parliament of " Great Britain advance a claim to make law for Ireland, and their anxiety " was kept alive, when they perceived the ſame parliament ſtill perſiſt in that " claim, as might appear by recent Britiſh acts, which affected to bind Ire- " land, but to which the ſubjects of Ireland could pay no attention.

" To aſſure his majeſty, that next to their liberties, they valued their con- " nexion with Great Britain, on which they conceived, at that time moſt par- " ticularly, the happineſs of both kingdoms did depend, and which, as it was " their moſt ſincere wiſh, ſo ſhould it be their principal ſtudy to cultivate and " render perpetual. That under that impreſſion, they could not ſuggeſt any " means, whereby ſuch connexion could ſo much be improved or ſtrength- " ened, as by a renunciation of the claim of the Britiſh parliament, to make " law for Ireland, a claim uſeleſs to England, cruel to Ireland, and without " any foundation in law.

" That impreſſed with an high ſenſe of the unanimity and juſtice of the " Britiſh character, and in the moſt entire reliance on his majeſty's paternal " care, they had ſet forth their right and ſentiments, and without preſcribing " any mode to his majeſty, throw themſelves on his royal wiſdom."

Mr. Brownlow ſeconded the motion, and ſaid, the people know their rights, and it is needleſs for government to pretend to oppoſe what muſt at laſt be obtained.

Mr. Huſſey Burgh ſpoke alſo in favour of the addreſs.

The Attorney General roſe to oppoſe the addreſs: he obſerved, that they were deſired to addreſs the king, that he would interfere with his parliament of Britain, to renounce any claim of authority over Ireland. The time was moſt improperly choſen to agitate that queſtion, and the object of the motion utterly impracticable. He ſaid, he did not mean to agitate the queſtion of right; the act of the 6th of George the Firſt was certainly of little ornament upon the Statute Book, and of ſtill leſs uſe; yet if it gave nothing to England, it certainly took away nothing from Ireland. The queſtion anſwered itſelf. Were they to agree to the addreſs, and the Britiſh parliament ſhould declare, that they never had any right to bind Ireland, in what a miſerable ſituation would that country be placed. He had looked over the pa-

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pers of the forfeited eſtates, and found that there was ſcarcely a man in the houſe, that did not enjoy ſome portion of them, nor a county in Ireland, of which they did not make a conſiderable part. A worthy repreſentative of the county of Cavan holds a large property, formerly forfeited, and afterwards granted by an Engliſh law. Would he doubt the validity of his title? Many gentlemen, who heard him were in the ſame ſituation. Some days ago the obſervation of a learned friend of his (Mr. Fitzgibbon) electrified the houſe, when he told them, that they were about to diſturb all property derived under the laws of forfeiture, &c. &c. What then muſt be their feelings, when deſired to looſe all the bands, which unite ſociety, and leave almoſt the whole property of the kingdom to be grappled for by the deſcendants of the ancient proprietors.

The honorable gentleman had ſaid, that now when Great Britain was hemmed in by enemies on every ſide, when ſinking under a load of debt, and the repeated ſtrokes of ill fortunes, no reſiſtance could be feared from her, when Ireland was in full vigour, expert in arms, and almoſt certain of ſucceſs—now was the proper time for demanding from Britain the relinquiſhment of what their anceſtors had handed down from age to age; to make the Britiſh parliament eat up their words and humble themſelves; to make them diſclaim a power, which they had exerciſed for the benefit of Ireland, and to plunge the nation into an armed anarchy. If an ambaſſador from France or Spain, or if the boldeſt agents for the rebels of America were at the bar to urge the houſe in language ſuch as that, he ſhould not be much ſurpriſed; for it ill accorded with the loyal and liberal feelings of Iriſhmen, who ſcorn to take advantage of an enemy in diſtreſs, but always remember acts of friendſhip with gratitude; he was therefore againſt the addreſs, becauſe it would give the world an opportunity of ſaying Ireland had made demands on Great Britain, and was in arms to enforce them. He was againſt it, becauſe it was a challenge, though couched in terms of civility; becauſe it tended to anarchy and miſrule; becauſe the thing contended for could never gain ſtrength but by ſtruggle; and becauſe, if obtained, it would ſhake all the property in the nation. Upon thoſe principles he thought it an honor to oppoſe the addreſs in any way; but from reſpect to the honorable mover, he would not give it a direct negative, but move to have it put off to the firſt of Auguſt; upon which motion the houſe divided, 137 for the attorney general's motion, and 68 againſt it.

As government affected, that the late diviſion againſt the addreſs did not involve the queſtion of right in Great Britain to bind Ireland by legiſlative acts, the patriots reſolved to return to the charge, and force, if they poſſibly could, an acknowledgment from a majority of that houſe of the independence of Ireland upon the Britiſh legiſlature. On the 26th of February, 1782, *Mr. Flood, in a ſhort but elegant ſpeech of about fifteen minutes, ſtated the rights of Ireland, and then moved the two following reſolutions:

1ſt. "That the members of this houſe are the only repreſentatives of the "people of Ireland."

2d. "That the conſent of the commons is indiſpenſably neceſſary to render "any ſtatute binding."

The ſecond, he ſaid, he would not move till the firſt was determined upon.

The Solicitor General oppoſed the motion as unneceſſary, and what every man allowed. He moved an amendment after the word reſolved, "That it "was not now neceſſary to declare." This brought on a debate, as he declared the amendment was propoſed in order to negative the motion if the amendment paſſed.

The amendment was ſupported by Mr. Fitzgibbon, Mr. Maſon, Sir Boyle Roche, and other gentlemen. The reſolution was ſupported by Mr. Ogle, Mr. Grattan, Mr. Brownlow, Mr. Forbes, &c.

Mr. Yelverton openly challenged any man. The attorney general repeated his former opinion. He obſerved, that he had before declared he would not go into the queſtion of right, and that, therefore, it was unfair and uncandid in any gentleman to extort his expreſſion, or aſſume for granted poſitions not under debate. He then roſe to deliver his political creed. England had aſſumed and exerciſed a power of making laws to bind Ireland; ſhe had repealed ſome of them that were oppreſſive, and that houſe had returned thanks for the repeal; but he ſhould ſhake all the property of the land by declaring that the laws, under which it was holden, had no authority; and, therefore, it was beſt to leave thoſe ſtatutes as they were: yet, as an Iriſhman, and a friend to Great Britain, he would ſay, that if Great Britain ſhould attempt to make any new laws, they would not be obeyed. He was the depoſitary of the laws of Ireland, not of England; and it is abſurd to ſuppoſe, that an officer delivering his opinion could give away any

* 1 Parl. Debates, p. 279.

right

right that did exiſt: the legiſlature alone, that made laws, had power to repeal them.

Sir Hercules Langriſhe ſaid, that univerſal coincidence of opinion on this ſubject, and the univerſal acknowledgment of the great truth, which was the ſubſtance of the reſolution, made the motion unneceſſary, and if it were neceſſary, it was unadviſeable. The honorable member knew there was but one opinion on that ſubject through the nation: the nation to a man, from the magiſtrate who was to enforce, to the people who were to obey the laws: they had all declared it; and that conviction, impreſſed on the minds of a ſpirited people, was a ſecurity an hundred times as ſtrong as any parliamentary declaration of their own, which could give no ſtrength to the great charter, which they read in their Statute Book, or the great enforcement they felt in themſelves. If they complained of the laws, they ſeemed to feel them. If they neither acknowledged nor obeyed them, they could not feel them. He concluded, that it was not neceſſary to make that declaration.

Mr. Daly and the Provoſt ſpoke in ſupport of the independence of Ireland, but did not ſee the neceſſity of making a declaration at that time on a ſubject, which was not conteſted; ſo when the houſe divided, there appeared for the declaration only 76, and againſt it 137.

The heads of the Roman Catholic bill in their progreſs through the committee occaſioned ſeveral debates, in which moſt of the ſpeakers in the houſe delivered their ſentiments: all unexceptionably avowed principles of toleration, but many differed upon particular topics ariſing out of the general ſubject. Mr. Flood, profeſſing himſelf a friend to the bill, and declaring that he loved and admired the Roman Catholics, wiſhed them to have permanent property, but not political power; but conceived that the poſſeſſion of the fee ſimple would give political power, by commanding influence in elections. Mr. Montgomery ſupported Mr. Flood's objection, as did alſo Mr. Warburton, Mr. Rowley, Mr. John Burke, Mr. Coote, and particularly Mr. St. George. Mr. Fitzgibbon, Mr. Maſon, Mr. Buſhe, and ſeveral others, were ſtrenuous againſt Catholics receiving foreign education, and were for their being admitted to the univerſity. Several members objected againſt their being permitted the open and public exerciſe of their religion, and ſtill more againſt allowing the ſame toleration to the regular clergy, as to the ſecular prieſts. Mr. Yelverton, the Provoſt, General Cunningham, Mr. Grattan, Mr. Forbes, Mr. D. Daly, Mr. Huſſey Burgh, Mr. Dillon, Captain Hall, Sir

Lucius O'Bryan, and Mr. Moſſom, declared themſelves warm advocates for removing the whole penal code from the Roman Catholics, and zealouſly eſpouſed their cauſe, not only in juſtice to them, but for the general benefit and welfare of the country. Mr. Gardiner, wiſhing to avail himſelf of the general diſpoſition of the houſe to grant ſome relief to the Catholics, moulded the matter he had brought before the houſe into the form of three ſeparate bills, the firſt of which afterwards paſſed into an act, intituled, *An Act for the further Relief of his Majeſty's Subjects of this Kingdom profeſſing the Roman Catholic Religion.** The act recites, "that all ſuch ſubjects as had taken the oath of allegiance preſcribed by the 13th and 14th of Geo. III. c. 34. ought to be conſidered as good and loyal ſubjects, and that the continuance of ſeveral of the Popery laws affecting them was unneceſſary, and injurious to the real welfare and proſperity of Ireland." It then enables Catholics to take, hold, and diſpoſe of lands and hereditaments in the ſame manner as Proteſtants: (except advowſons and manors, or boroughs returning members for parliament.) It removes ſeveral penalties from ſuch of the clergy, as ſhall have taken the oath and been regiſtered; it confines its operation to the regular clergy then within that kingdom, (by which the ſucceſſion of other regulars from abroad might be prevented) it deprives any clergyman, officiating in a church or chapel with a ſteeple or bell of the benefit of the act, and repeals ſeveral of the moſt noxious parts of the acts of Ann and Geo. I. and Geo. II.† The

* 21 and 22 Geo. III. c. 24.

† Such as the power given to a magiſtrate to fine and impriſon every Papiſt refuſing to appear and declare upon oath when and where he had laſt heard maſs, who celebrated and aſſiſted at it, and the reſidence of any Popiſh eccleſiaſtic: ſuch as prohibited a Papiſt to have a horſe of the value of 5*l.* under certain penalties, and which enabled the chief governor to ſeize all their horſes upon any invaſion or inteſtine war likely to happen: ſuch as enabled the grand jury to preſent the reimburſing of all robberies and depredations of privateers in time of war upon the real and perſonal eſtate of the Catholics within the county: ſuch as ſubjected every Catholic to certain penalties, who did not provide a Proteſtant watchman to watch in his turn: and ſuch as ſubjected to certain penalties every Catholic, who ſhould take or purchaſe a houſe in Limerick or Galway, or the ſuburbs thereof.

In the courſe of theſe debates (1 Parl. Deb. p. 311) Mr. Buſhe expreſſed a deſire, that a clauſe ſhould be inſerted in the bill to eaſe the Roman Catholics from a moſt oppreſſive law, then in being, which compelled them to make good the depredations committed by robbers in the country, in which they reſided. He inſtanced a tranſaction, which happened within his own knowledge, in the county of Kilkenny: a number of villains, under the denomination of White Boys, aſſembled a few

The ſecond bill was for providing for the education of the Catholics, which afterwards paſſed into a law, intituled,* *An Act to allow Perſons profeſſing the Popiſh Religion to teach School in this Kingdom, and for the regulating the Education of Papiſts, and alſo to repeal Parts of certain Laws relative to the Guardianſhip of their Children.* The act repeals as much of the acts of William and Ann as impoſed on Catholics teaching ſchool, or privately inſtructing youth in learning, the ſame pains, penalties, and forfeitures as any Popiſh regular convict was ſubject to; but excepts out of its benefit any perſon, who ſhould not have taken the late oath of allegiance, who ſhould receive a Proteſtant ſcholar, or who ſhould become an uſher to a Proteſtant ſchoolmaſter. The act alſo enables Catholics (not being eccleſiaſtics) to be guardians to their own or any Popiſh child. When Mr. Gardiner propoſed his third bill, which was for eſtabliſhing intermarriages between Proteſtants and Roman Catholics, the houſe divided upon it, and the bill was negatived by a majority of eight.†

Mr. Gardiner's bill, which in its original form was one, had been long drawn and conſidered by men of eminence on both ſides of the water, before it was brought forward in the Iriſh Houſe of Commons. Much previous negociation was requiſite ere Mr. Gardiner dared venture it to the diſcretion of the houſe. The great oppoſition to it was given from the Archbiſhop of Caſhell's intereſt: ſeveral others, who held places under government, were alſo adverſe. Certain it is, that government gave no direct countenance or ſupport to it, though ſeveral ſupporters of government cordially favoured the meaſure. Theſe bills were viewed in very oppoſite lights by different de-

few years ſince, and did conſiderable miſchief; the grand jury, from the affidavits of the ſufferers, granted a preſentment accordingly; a ſhort time after, one of the offenders was apprehended, who proved to be a Proteſtant, and was executed for the offence. He ſaid, there was no other proof required by this iniquitous act, to obtain a preſentment on the Roman Catholic inhabitants, than to ſwear that the plunderers ſpoke with the Iriſh accent.

Another hardſhip that the people of that perſuaſion laboured under, from that oppreſſive law, was, that an individual could be compelled to pay the whole ſum, notwithſtanding he lived in a diſtant part of the country from the place, where the offence was committed.

One of the members inſtanced a gentleman, who reſided within a mile of his own houſe, and near thirty miles from where the offence was committed, on whom they levied the amount, by virtue of an execution taken out of the crown office, and that he and his family were beggars about the country ever after.

* 21 and 22 Geo. III. c. 62. † 10 Journ. Com. p. 317.

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ſcriptions of perſons. Some conſidered them as ruinous to the Proteſtant aſcendancy in Ireland, and therefore oppoſed them in every ſtage: others conſidered them too liberal, although ſome encouragement ought to be given to the long tried and then much wanted fidelity of the Catholic body: a third was diſpoſed to grant even more, than theſe bills imported; though they ſtill maintained, that the great body of the Iriſh Catholics were to be kept in a civil ſubordination to the privileged order of Proteſtants. And a fourth openly and unequivocally declared, that national juſtice and national policy demanded the complete emancipation of the Catholics, and a perfect civil amalgation of the whole Iriſh people. There is no queſtion, but that the ſlighteſt interference of government would have procured at that time much larger conceſſions than thoſe, which the bills imported. The public mind had not as yet ſhaken off its old trammels of prejudice.* Many cried loudly

* The enlightened mind of Mr. Burke ſaw things as they really were through the miſts and clouds of inveterate habit, prejudice, and bigotry, which disfigured them to others. In a letter he wrote to a noble peer of Ireland upon this bill (printed in London 1785) he ſays, "To look at the "bill, in the abſtract, it is neither more nor leſs than a renewed act of univerſal, unmitigated, in- "diſpenſable, exceptionleſs diſqualification. One would imagine, that a bill inflicting ſuch a mul- "titude of incapacities, had followed on the heels of a conqueſt, made by a very fierce enemy, "under the impreſſion of recent animoſity and reſentment. No man, on reading that bill, could "imagine he was reading an act of amneſty and indulgence. This I ſay on memory. It recites the "oath, and that Catholics ought to be conſidered as good and loyal ſubjects to his majeſty, his "crown and government: then follows an univerſal excluſion of thoſe good and loyal ſubjects from "every, even the loweſt office of truſt and profit, or from any vote at an election; from any pri- "vilege in a town corporate; from being even a freeman of ſuch corporations; from ſerving on "grand juries; from a vote at a veſtry; from having a gun in his houſe, from being a barriſter, "attorney, ſolicitor, or &c. &c. &c.

"This has ſurely much more the air of a table of proſcriptions, than an act of grace. What muſt "we ſuppoſe the laws, concerning thoſe good ſubjects, to have been, of which this is a relaxa- "tion? When a very great portion of the labour of individuals goes to the ſtate, and is by the ſtate "again refunded to individuals through the medium of offices, and in this circuitous progreſs from "the public to the private fund indemnifies the families, from whom it is taken, an equitable "balance between the government and the ſubject is eſtabliſhed. But if a great body of the people "who contribute to this ſtate lottery, are excluded from all the prizes, the ſtopping the circulation "with regard to them muſt be a moſt cruel hardſhip, amounting in effect to being double and "treble taxed, and will be felt as ſuch to the very quick by all the families, high and low, of thoſe "hundreds of thouſands, who are denied their chance in the returned fruits of their own induſtry. "This is the thing meant by thoſe who look on the public revenue only as a ſpoil; and will naturally "wiſh

loudly againſt perſecution, who ſtill voted for the diſabilities, pains, penalties, and forfeitures of their fellow ſubjects. The rejection of the *intermarriage bill, by the commons of that day, evidently demonſtrates the wiſhes and

" wiſh to have as few as poſſible concerned in the diviſion of the booty. If a ſtate ſhould be ſo unhappy as to think it cannot ſubſiſt without ſuch a barbarous proſcription, the perſons ſo proſcribed ought to be indemnified by the remiſſion of a large part of their taxes, by an immunity from the offices of public burden, and by an exemption from being preſſed into any military or naval ſervice. Why are Catholics excluded from the law? Do not they expend money in their ſuits? Why may not they indemnify themſelves by profiting in the perſons of ſome for the loſſes incurred by others? Why may they not have perſons of confidence, whom they may, if they pleaſe, employ in the agency of their affairs? The excluſion from the law, from grand juries, from ſheriffſhips, and under-ſheriffſhips, as well as from freedom in any corporation, may ſubject them to dreadful hardſhips, as it may exclude them wholly from all that is beneficial, and expoſe them to all that is miſchievous in a trial by jury. This was manifeſtly within my own obſervation, for I was three times in Ireland from the year 1760 to the year 1767, where I had ſufficient means of information, concerning the inhuman proceedings, among which were many cruel murders, beſides an infinity of outrages and oppreſſions unknown before in a civilized age, which prevailed during that period in conſequence of a pretended conſpiracy among the Roman Catholics againſt the king's government. I could dilate upon the miſchiefs that may happen, from thoſe, which have happened upon this head of diſqualification, if it were at all neceſſary.

" The head of excluſion from votes for members of parliament is cloſely connected with the former. When you caſt your eye on the Statute Book, you will ſee, that no Catholic, even in the ferocious act of Queen Anne, was diſabled from voting, on account of his religion; the only conditions required for that privilege, were the oaths of allegiance and abjuration both relative to a civil concern. Parliament has ſince added another oath of the ſame kind; and yet an Houſe of Commons adding to the ſecurities of government in proportion as its danger is confeſſedly leſſened, and profeſſing both confidence and indulgence, takes away, in effect, the privilege left by an act full of jealouſy, and profeſſing perſecution.

" The taking away of a vote is the taking away the ſhield, which the ſubject has, not only againſt the oppreſſion of power, but that worſt of all oppreſſions, the perſecution of private ſociety, and private manners. No candidate for parliamentary influence is obliged to the leaſt attention towards them, either in cities or counties. On the contrary, if they ſhould become obnoxious to any bigoted or malignant people, amongſt whom they live, it will become the intereſt of thoſe, who court popular favor, to uſe the numberleſs means, which always reſide in magiſtracy and influence, to oppreſs them. The proceedings in a certain county in Munſter during the unfortunate period I have mentioned, read a ſtrong lecture on the cruelty of depriving men of that ſhield, on account of their ſpeculative opinions."

* Mr. Burke has alſo ſpoken ſtrongly of the act prohibiting the intermarriages of Proteſtants and Catholics, which was paſſed in the ſhort adminiſtration of Lord Cheſterfield. " Mr. Gardiner's humanity," ſays he, (p. 25) " was ſhocked at it, as one of the worſt parts of that truly barbarous ſyſtem, if

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and determination of the majority of their houſe to keep Ireland a divided people, in order to ſupport the oligarchy of a privileged order over the reſt of the community, as a vilified and degraded caſt.

Although theſe, and ſome other bills did not receive the royal aſſent during the vice-royalty of Lord Carliſle, yet having been brought forward under him, they may be conſidered as acts of his adminiſtration. Such alſo was the bill* for eſtabliſhing a national bank of Ireland, with ſome other beneficial bills of regulation. As the Iriſh adminiſtration was but a ſubordinate part of that of Great Britain, it was natural, that the lord lieutenant and his ſecretary ſhould carry on matters with a leſs high hand, when once they perceived the oppoſition in Great Britain daily gaining ground, and haſtening the downfal of that ill-fated† miniſtry, which had weakened the Britiſh empire

" one could well ſettle the preference, where almoſt all the parts were outrages on the laws of huma-
" nity, and the law of nature. This man, (Lord Cheſterfield) while he was duping the credulity
" of Papiſts with fine words in private, and commending their good behaviour during a rebellion in
" Great Britain, as it well deſerved to be commended and rewarded, was capable of urging penal
" laws againſt them in a ſpeech from the throne, and ſtimulating with provocatives the wearied and
" half exhauſted bigotry of the then parliament of Ireland. They ſat to work, but were at a loſs
" what to do; for they had already almoſt gone through every contrivance, which could waſte the
" vigour of their country: but, after much ſtruggle, they produced a child of their old age, the
" ſhocking and unnatural act about marriages, which tended to finiſh the ſcheme for making the
" people not only two diſtinct parties for ever, but keeping them as two diſtinct ſpecies in the ſame
" land."

* 21 & 22 Geo. III. c. xvi.

† The firſt unequivocal ſymptom of the downfal of Lord North's adminiſtration, was the reſignation of Lord George Germaine (3 Bels. Mem. Geo. III. p. 244.) The unpopularity of the American ſecretary was ſo great and manifeſt, that he now thought it expedient, ſeeing parliamentary cenſures likely to become again in faſhion, to reſign the ſeals of that department, and for his eminent ſervices, he was, by his majeſty, raiſed to the dignity of the peerage. But before the great ſeal was affixed to the patent, the Marquis of Carmarthen moved in the houſe of peers, " That
" it was highly derogatory to the honor of that houſe, that any perſon labouring under the ſentence
" of a court-martial, ſtyled in the public orders iſſued by his late majeſty, *a cenſure much worſe*
" *than death*, and adjudged unfit to ſerve his majeſty in any military capacity, ſhould be recom-
" mended to the crown as a proper perſon to ſit in that houſe."

The motion was evaded by the queſtion of adjournment; but Lord George Germaine having actually taken his ſeat in the houſe under the title of Lord Viſcount Sackville, the Marquis of Carmarthen renewed his attack, and urged, " that the houſe of peers being a court of honor, it
" behoved them to preſerve that honor uncontaminated, and to mark in the moſt forcible manner
" their

pire by the loſs of her American colonies, the uſeleſs ſacrifice of one hundred thouſand lives, and the accumulation of above a hundred millions of national debt.

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" their diſapprobation of the introduction of a perſon into that aſſembly, who was ſtigmatized in " the orderly books of every regiment in the ſervice."

Lord Abingdon, who ſeconded the motion, ſtyled the admiſſion of Lord George Germaine to a peerage, " an inſufferable indignity to that houſe, and an outrageous inſult to the public."

The motion was powerfully ſupported by the Duke of Richmond, Lord Southampton, the Earl of Shelburne, the Marquis of Rockingham, and other diſtinguiſhed peers. On the diviſion, nevertheleſs, it was rejected by a majority of 93 to 28 voices: a proteſt, however, was entered on the journals of the houſe, declaring the promotion of his lordſhip to be " a meaſure fatal to the inte- " reſts of the crown, inſulting to the memory of the late ſovereign, and highly derogatory to the " dignity of the houſe."

Mr. Fox, on the 20th of February, 1782, again brought forward his motion of cenſure, ſomewhat varied, on Lord Sandwich, which was negatived by a majority of 19 voices only, in a houſe conſiſting of 453 members; but to the aſtoniſhment of the nation, the noble lord ſtill daringly kept poſſeſſion of his office, although 217 members of the Houſe of Commons had pronounced him " guilty of a ſhameful miſmanagement of the naval affairs of Great Britain." And on the 22d of February, General Conway moved " for an addreſs to the king, earneſtly imploring his majeſty " that he would be graciouſly pleaſed to liſten to the humble prayer and advice of his faithful Com- " mons, that the war on the continent of North America might no longer be purſued, for the im- " practicable purpoſe of reducing that country to obedience by force." This was oppoſed in a long ſpeech by Mr. Welbore Ellis, (now Lord Mendip) the new ſecretary for the American department; and on the diviſion, the miniſter had the fearful majority of one voice only. On Mr. W. Ellis Mr. Burke was powerfully ſevere in his anſwer. " This war," ſaid he, " had been amaze- " ingly fertile in the growth of new ſtateſmen; the right honorable gentleman was indeed an old " member, but a young ſecretary. Having, however, ſtudied at the feet of Gamaliel, he had en- " tered into full poſſeſſion of all the parliamentary qualifications, by which his predeceſſor had been " ſo conſpicuouſly diſtinguiſhed; the ſame attachments, the ſame antipathies, the ſame extrava- " gant deluſion, the ſame wild phantoms of the brain, marked the right honorable gentleman as " the true miniſterial heir and reſiduary legatee of the noble viſcount: and notwithſtanding the " metamorphoſis he had recently undergone, he was ſo truly the ſame thing in the ſame place, that " juſtly might it be ſaid of him, '*alter et idem naſcitur*,' being of the caterpillar ſpecies, he had " remained the deſtined time within the ſoft and ſilken folds of a lucrative employment, till having " burſt his ligaments, he fluttered forth the butterfly miniſter of the day."

On the 15th of March, 1782, a reſolution was made by Sir John (now Lord) Rous, a man once zealouſly attached to Lord North's adminiſtration, that the houſe, taking into conſideration the debt incurred, and the loſſes ſuſtained in the preſent war, could place no further confidence in the miniſters, who had the direction of public affairs. A violent debate enſued; on the diviſion, the numbers were, 227 for, and 236 againſt the motion. And on the 19th, the Earl of Surrey (now Duke of Norfolk) had propoſed to move a ſimilar reſolution; but when his lordſhip was about to riſe, Lord North addreſſed himſelf to the ſpeaker, and ſaid, " That as he underſtood the object of the

One of the laſt acts of Mr. Eden's, in the commons, was the communication of his majeſty's gracious anſwer to their addreſs relative to the* affairs of Portugal, on the 5th of March, 1782. Lord Carliſle now foreſeeing in the change of miniſtry a total change of principles and meaſures with reference to Ireland, and having received no freſh inſtructions or ſupport from the Britiſh cabinet, wiſhed only to carry ſome of the then pending bills up to the lords, on the 14th of March 1782, adjourned the parliament to the 16th of April. By that time a general change having taken place in the Britiſh miniſtry, Mr. Eden went to London with Lord Carliſle's reſignation of the lieutenancy of that kingdom, deſiring only time to make ſome neceſſary arrangements, and to cloſe the ſeſſion of parliament. On the 14th of April, his Grace the Duke of Portland arrived in Dublin, and immediately took upon him the chief government of Ireland. Mr. Eden, very ſpeedily after his arrival in England, laid

" noble lord's motion to be the removal of miniſters, he wiſhed to prevent the neceſſity of giving " the houſe further trouble, by an explicit declaration, that his majeſty had come to a determina- " tion, to make an entire change of adminiſtration; and he and his colleagues only retained their " official ſituation till other miniſters were appointed to occupy their places."

* The anſwer was to the following effect:—" His majeſty has received the addreſs of the Houſe " of Commons with that affectionate ſatisfaction, which their profeſſions of duty, loyalty, and zea- " lous attachment to his perſon and royal family, never fail to excite in his majeſty's breaſt; and " his majeſty does not admit a doubt, that thoſe principles will continue to conſtitute, as they have " hitherto invariably done, a moſt diſtinguiſhed part of the character of his people of Ireland.

" His majeſty gives his faithful commons the ſtrongeſt aſſurances, that the confidence they ſo " dutifully repoſe in his paternal protection, which has been conſtantly exerted during the courſe " of his reign, in promoting and eſtabliſhing the proſperity of his kingdom of Ireland, is moſt " juſtly founded, as no purpoſe is nearer his majeſty's heart than to afford them every ſolid proof of " that protection.

" His majeſty is not ſurpriſed, that his faithful commons, always attentive to the true intereſt " of this country, ſhould have obſerved with alarm and concern, the obſtruction given in the ports " of Portugal to the importation of Iriſh woolen and printed linen manufactures into that kingdom; " and the full ſatisfaction, which the Houſe of Commons expreſs in his majeſty's ſolicitude upon " this important ſubject, and in his unremitted endeavours to open the eyes of Portugal, not only " to the true ſenſe of the treaties between the two crowns, but to a juſt underſtanding of her own " real intereſts, is graciouſly accepted by his majeſty.

" His majeſty applauds the temper and moderation of his commons upon this occaſion; ſuch a " conduct is always becoming of their prudence and wiſdom, but particularly ſo in the preſent " inſtance, as it affords time for further exertions towards bringing this buſineſs to a happy conclu- " ſion; and the Houſe of Commons may reſt aſſured, that his majeſty will perſevere in every poſ- " ſible effort for the attainment of that deſirable end."

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before the Britiſh parliament,* a view of the political hiſtory of Ireland during the two laſt years; acquainted the houſe with the meaſures, which (he ſaid) were then forming, for rendering it totally independent of the Britiſh legiſlature; and concluded, with moving for leave to bring in a bill to repeal ſo much of the act of the 6th of George I. as aſſerted a right in the king and parliament of Great Britain, to make laws to bind that kingdom. The precipitation, with which a buſineſs of ſuch magnitude and importance was thus attempted to be forced on the houſe, without previous communication from any of his majeſty's miniſters, or knowledge of their intentions, was ſeverely cenſured, and the more eſpecially as it appeared, that the right honorable gentleman had refuſed to give any official information to government relative to the ſtate of the country he had juſt left. Mr. Eden, though loudly called on to withdraw his motion, perſiſted in urging its neceſſity; and in vindication of his own conduct, ſtated, that the reaſon of his refuſing to have any communication with his majeſty's preſent ſervants, was the great want of attention to the Earl of Carliſle, which they had ſhewn in the mode of appointing his ſucceſſor, and in his removal from the lord lieutenancy of the Eaſt Riding of Yorkſhire. This apology ſerved rather to increaſe the diſpleaſure of the houſe; a motion of cenſure on his conduct was threatened; and it was with great difficulty he was at laſt brought to comply with the general wiſh of the houſe in withdrawing his motion. Mr. Fox informed the houſe in the courſe of this debate, that the miniſters of the crown, during the ſhort time they had been in office, had actually holden three or four councils, ſolely on the affairs of Ireland; and that he hoped very ſoon, perhaps within the next four-and-twenty hours, to lay ſome preparatory meaſure before them.

On the very next day, viz. April 9th, 1782,† Mr. Secretary Fox communicated the following meſſage to the houſe:

* The debate on the ſituation of Ireland on the 8th of April, 1782, in the Britiſh Houſe of Commons, is ſo illuſtrative of the ancient ſyſtem of governing Ireland; ſo explanatory of the views and motives of the different meaſures impoſed upon that kingdom by the Britiſh cabinet; ſo demonſtrative of principles oppoſite to thoſe of the Union and mutual proſperity of both kingdoms, that the reader will be happy to learn from the mouths of the actors themſelves a complete narrative of this great revolution in the kingdom of Ireland: for which, *vide* Appendix, No. LXVIII. where the whole debate is given.

† 7 Parl. Debates, p. 24. And on the ſame day, a meſſage to the ſame effect was delivered to the lords the firſt day of their meeting, and addreſſes were unanimouſly voted by both houſes.

" GEORGE R.

" His majeſty being concerned to find, that diſcontents and " jealouſies are prevailing among his loyal ſubjects in Ireland, upon matters " of great weight and importance, earneſtly recommends to this houſe, to " take the ſame into their moſt ſerious conſideration, in order to ſuch a final " adjuſtment as may give mutual ſatisfaction to both kingdoms. G. R."

Mr. Secretary Fox ſaid, that he hoped the houſe would give credit to his majeſty's miniſters on the ſubject of Ireland, and believe that they had not, during the ſhort interval they had been in office, in any ſhape neglected to take into their conſideration the very ſerious and alarming condition of that country; nor ſhould they ſuſpect, that the preſent meſſage from the throne was brought down in conſequence of the very ſingular motion made in that houſe the day before. His majeſty was moſt earneſtly deſirous of ſettling the diſcontents and jealouſies, that ſubſiſted in the minds of his ſubjects of the kingdom of Ireland; and ſurely they deſerved the name of diſcontents and jealouſies, for they had riſen to be very dangerous and alarming. The meaſures, which his majeſty's miniſters conceived neceſſary to be taken in the preſent inſtance, and which he was to propoſe to the houſe, would require a great deal of moſt ſerious diſcuſſion. He intended to move for an humble addreſs to his majeſty, to aſſure his majeſty, that they would without delay, take into their moſt ſerious conſideration this important ſubject; and endeavour to aſſiſt his majeſty's earneſt and moſt gracious wiſhes to reſtore confidence and harmony between the two kingdoms. The right honorable gentleman ſaid, that though the words " without delay," were introduced into the motion for the addreſs, it was by no means his intention to urge the houſe to any haſty or premature meaſure, which might heal the differences for a time, without putting a final ſtop and concluſion to the buſineſs. The houſe would perceive, that in the pretenſions of the Iriſh, expreſſed by the parliament and people, the matter contained no leſs than the conſtitution of the kingdom; that it comprehended not only the commercial rights and privileges of the kingdom, but alſo the legiſlative powers and royalty. The moſt important objects were therefore embraced, and both nations were moſt materially concerned in the diſcuſſion and ſettlement of the matter. They were topics, upon which the houſe would ſee his majeſty could not decide, without the aſſiſtance of his parliament; nor, indeed, could it be done without the concurrence and operation of both parliaments. To come to the buſi-

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neſs, therefore, with propriety, and in a manner which would give effect to their proceedings, they muſt have full and authentic information; and both parliaments muſt take time in their deliberations, and aſſiſt each other in the progreſs and concluſion of the buſineſs. The haſty ſtep promiſed yeſterday by a right honorable gentleman, would have been moſt unwiſe and impolitic. It was the duty of government to come to the matter for poſterity, as well as for the preſent day, and in quieting the exiſting jealouſies, to eſtabliſh ſuch a principle of relation and conſtitution, as ſhould prevent future diſcontents from ariſing. He believed it would be eaſy for the king's miniſters to do as their predeceſſors had done, to patch up a temporary ceſſation of claims, and leave to thoſe, who were to come after them, all the dangers of an unſettled conſtitution, for the mean advantage of clearing themſelves from difficulties, which they had not the courage to meet with fairneſs; but they conſidered it as their duty to come with determined minds to the main queſtion, and ſettle the true quality and nature of the relationſhip which ſubſiſted between the two countries, to aſcertain their diſtinct conſtitutions, and to eſtabliſh ſuch an union between them, as ſhould endure for ages. He hoped, from what paſſed yeſterday, from the meſſage of his majeſty this day, and from the addreſs to the throne in conſequence thereof, declaring, that they were determined to enter ſeriouſly, and without delay into the diſcuſſion of this buſineſs, it would be clearly underſtood, that his majeſty's miniſters, and, what was much more eſſential, the parliament, were diſpoſed to ſettle this buſineſs. This being carried over to the people of Ireland by the new lord-lieutenant, and communicated to that parliament, under the moſt ſacred aſſurances from the throne, would, as it ought, have its effects upon our ſiſter kingdom, and incline them to meet this country with the ſame diſpoſition to an amicable ſettlement of the differences. When the lord-lieutenant was ſettled in his adminiſtration, the government of this country would not be denied that information, which was eſſential to the knowledge and diſcuſſion of the ſubject; and he aſſured the houſe, that whenever his majeſty's miniſters ſhould be in poſſeſſion of that information, they would lay it before parliament, to aſſiſt them in their deliberations on the important point. This was the plan, which they intended to purſue in the ſettlement of this buſineſs; and they hoped to have the aſſiſtance of all the ability, zeal, affection, and honeſty of both kingdoms, in bringing it to a happy, a ſpeedy, and a permanent concluſion. He then moved, that an humble addreſs be preſented to his majeſty, to return his majeſty the

thanks

thanks of that houſe, for his moſt gracious meſſage; and to aſſure his majeſty, that the houſe, feeling with his majeſty the deepeſt concern, that diſcontents and jealouſies ſhould have ariſen among his majeſty's loyal ſubjects in Ireland, would, without delay, take the ſame into their moſt ſerious conſideration, in order to ſuch a final adjuſtment as might give mutual ſatisfaction to both kingdoms.

The Hon. Colonel Fitzpatrick begged leave to ſay a few words upon his leaving this country to take upon himſelf a moſt important office, for which, he ſaid, he felt himſelf very unqualified, that of ſecretary to the lord-lieutenant of Ireland. He declared, that he had been prevailed upon to accept of that office, in the firm perſuaſion and confidence, that his majeſty's preſent miniſters were ſincere in their profeſſions, and that they were earneſtly diſpoſed to make ſuch conceſſions to Ireland, as ſhould quiet their jealouſies, and give ſatisfaction to their minds. If he had not had this opinion of the king's miniſters, no circumſtance upon earth could have induced him to take a ſituation, which, at any time, he would not have coveted, and which only ſuch opinion and confidence could make him endure. He thought, and believed, that it was the wiſe policy of this country to make thoſe conceſſions, as from the eſtabliſhment of a firm and friendly relation, founded upon a clear and known conſtitution, the moſt happy conſequences would be derived to both countries. He was juſt on the point, he ſaid, of leaving England, and he thought it incumbent upon him to ſay thus much, that it might be known upon what ground he was going to Ireland; and it gave him great pleaſure to have it in his power, to communicate to the Houſe of Commons of that country, that this houſe expreſſed the moſt zealous deſire of coming to an amicable ſettlement of all differences.

The Duke of Portland, on his arrival in Dublin, was received with demonſtrations of the moſt enraptured joy. When the parliament met according to adjournment, on the 16th of April, the galleries and bar of the Houſe of Commons were crowded, and expectation was raiſed to enthuſiaſm. As ſoon as the ſpeaker had taken the chair, Mr. John Hely Hutchinſon, his majeſty's principal ſecretary of ſtate, aroſe, and announced to the houſe, that he was charged by the lord-lieutenant to communicate to them a meſſage from his majeſty, of the ſame tenor as that which had been communicated to both houſes of the Britiſh parliament. He begged to ſay a few words, not as an officer of the crown, but as a gentleman

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of the country. As to the right of that kingdom to be bounden by no other laws, but thoſe made by the king, lords and commons of Ireland, he had always aſſerted it from the ſeat of judicature as a judge, and in that houſe as a repreſentative of the people. He ſhould be glad that every man in Great Britain underſtood, that the claim was not new, it was as old as the invaſion of the right; the principal lords and commons of Ireland, in the year 1641, complained of it as an innovation unknown to their anceſtors. Soon after the reſtoration, the ſpeaker of the Houſe of Commons, in an addreſs to the lord-lieutenant, and in the preſence of both houſes, ſtated the right of Ireland to be governed only by laws made by her own parliament; and ſoon after the revolution, this queſtion was placed out of the reach of controverſy, by the work of a great ſcholar and philoſopher.

He then mentioned Mr. Grattan in terms of the higheſt reſpect, and ſaid, he muſt ever live in the hearts of his countrymen; but the preſent age and poſterity would be indebted to him for the greateſt of all obligations, and would, but he hoped at a great diſtance of time, inſcribe on his tomb, that he had redeemed the liberties of his country. He ſaid, that whatever mode ſhould be propoſed for the declaration of this right, in terms the moſt unequivocal and explicit, whether by vote, addreſs, or bill, ſhould receive his ſtrongeſt ſupport, provided it contained ſuch ſentiments of duty and loyalty to the king, and affection to our fellow-ſubjects of Great Britain, as every man in that nation felt. When this point was fully eſtabliſhed, it would let in new light on other parts of the conſtitution. He had conſidered thoſe ſtatutes, called Poynings' law, as containing ſtrong arguments in ſupport of the independence of the Iriſh legiſlature; but this independence being eſtabliſhed, or at the eve of being ſo, he ſhould agree to a bill for the modification of Poynings' law, ſo as to prevent the ſtopping, or altering their bills in their privy council, or the alteration of them elſewhere; for he never could agree to give any other privy council a power, which was taken from their own.

He thought it neceſſary, that the mutiny bill ſhould be made triennial. He voted for it as ſuch on its firſt introduction. The conſequence was, his having been repreſented very unjuſtly, as inimical to the government, which he had ſo long ſerved with zeal and conſtancy. He voted for the preſent act to prevent that diſturbance of the public tranquillity, which the rejection of it would have immediately and unavoidably occaſioned: but had declared, at the ſame time, his opinion in favor of a limited bill. He obſerved, that

there

there were objects of ſuch national concern, as could only be obtained by the ſpirit of the people; that ſpirit was now become univerſal, and it was the duty of the repreſentarives of the people, to repeat the public voice, and to conform their conduct to the determined ſpirit of the nation. He recommended, to proceed with unanimity and firmneſs, with that duty, loyalty, and attachment, which they owed to their ſovereign, and with that regard to the inſeparable connexion between the two kingdoms, which the conſtitution of Ireland, and the mutual intereſt of both kingdoms, required.

Mr. George Ponſonby moved, that a dutiful and loyal addreſs ſhould be preſented to his majeſty, thanking him for his moſt gracious meſſage, and aſſuring him, that his faithful commons would immediately proceed upon the great objects he had recommended to their conſideration.

Mr. Grattan ſaid, he would ſtate to the houſe his reaſons for changing, in ſome meaſure, the form of the addreſs propoſed by the honorable gentleman, and hoped to induce the houſe, rather to declare that they had conſidered the cauſes of jealouſy, and that they were contained in his original motion for a declaration of rights, which he would thenmove as an amendment to the addreſs. He ſaid he had nothing to add, but to admire by what ſteady virtue, the people had aſſerted their own rights. He was not very old, and yet he remembered Ireland a child. He had watched her growth; from infancy ſhe grew to arms; from arms to liberty. She was not now afraid of the French; ſhe was not now afraid of the Engliſh; ſhe was not now afraid of herſelf. Her ſons were no longer an arbitrary gentry; a ruined commonalty; Proteſtants oppreſſing Catholics; Catholics groaning under oppreſſion: but ſhe was now an united land.

This houſe agreeing with the voice of the nation, paſſed the popery bill, and by ſo doing got more than it gave, yet found advantages from generoſity, and grew rich in the very act of charity. Ye gave not, but ye formed an alliance between the Proteſtant and the Catholic powers, for the ſecurity of Ireland. What ſignifies it, that three hundred men in the Houſe of Commons: what ſignifies it, that one hundred men in the Houſe of Peers, aſſert their country's liberty, if unſupported by the people? But there is not a man in Ireland; there is not a grand jury; there is not an aſſociation; there is not a corps of volunteers; there is not a meeting of their delegates, which does not maintain the independence of the Iriſh conſtitution, and pledge themſelves to ſupport the parliament in fixing that conſtitution on its rightful baſis. Gentlemen

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will perceive, that I allude to the tranſaction at Dungannon: not long ago the meeting at Dungannon was conſidered as a very alarming meaſure, but I thought otherwiſe; I approved of it, and conſidered the meeting of Dungannon as an original tranſaction. As ſuch only it was matter of ſurprize. What more extraordinary tranſaction than the attainment of Magna Charta? It was not attained in parliament, but by the barons, armed, and in the field. A great original tranſaction is not founded in precedent, it contains in itſelf both reaſon and precedent; the revolution had no precedent.

In this country every man has his ſhare in the government; and in order to act or ſpeak, they muſt confer. Now, did not neceſſity compel them to act? Did not neceſſity compel them to ſpeak? And will not their reſolutions tend to reſtore the rights of their country? They reſolve, "that a claim of "any body of men, other than the king, lords and commons of Ireland, to "make laws to bind this kingdom, is unconſtitutional and a grievance."

Is there any man who will deny it, for what were volunteer aſſociations formed, but for the maintenance of the law? What is Poynings' law, and the unconſtitutional power of the Iriſh or Engliſh privy council, but a grievance? What is a perpetual mutiny bill, but a grievance? Is there any man who will deny it, or ſay that we have not cauſe to complain of this execrated ſtatute? And if you feel the injury, the people are ready to ſupport you. They proteſt againſt an independent army; againſt a dependent legiſlature; againſt the abomination of a foreign legiſlature; againſt the aſſumed authority of council, they were more conſtitutional than more formal aſſemblies; they have proteſted only againſt what parliament ought to redreſs; and pray, ſir, have not the conſtituents a right to inform their repreſentatives? If England wiſhes well to Ireland, ſhe has nothing to fear from her ſtrength. The volunteers of Ireland would die in ſupport of England. This nation is connected with England, not by allegiance only, but by liberty. The crown is one great point of union, but Magna Charta is a greater. We could get a king any where, but England is the only country, from which we could get a conſtitution. We are not united with England, as Judge Blackſtone has fooliſhly ſaid, by conqueſt, but by charter. Ireland has Britiſh privileges, and is by them connected with Britain: both countries are united in liberty. This being the decided ſenſe of the nation, the men who endeavoured to make our connexion with England quadrate with this ſenſe, are friends to England.

We are friends to England on perfect political equality. This houſe of parliament knows no ſuperior; the men of Ireland acknowledge no ſuperiors; they have claimed laws under the conſtitution, and the independence of parliament under every law of God and man. He then ſpoke upon the appellant juriſdiction of the houſe of lords; and he thought, that in order to eradicate every cauſe of jealouſy, the final judicature ſhould reſide in the peers of Ireland.

He again returned to the mutiny bill and Poynings' law, which he condemned in the moſt forcible manner. He ſaid, that he wiſhed to become the decided friend of the Duke of Portland, for removing every cauſe of complaint from Ireland, and that theſe were the terms, on which he was ready to ſupport his government:

A repeal of the 6th of George I. including a reſtoration of the appellant juriſdiction to the lords of Ireland.

An abolition of the unconſtitutional power of privy councils.

And a repeal of the mutiny bill.

A judge's bill he refrained from mentioning, as he had heard it was returned.

" I cannot imagine (continued he) that the preſent miniſters of England will oppoſe thoſe rights of the Iriſh nation; they have been for many years advocates for the liberties of England and of the colonies; it was the great rule of their oppoſition, and it is impoſſible that men, who are ready to grant independence to America, can oppoſe the independence of Ireland."

Mr. Grattan then moved, which was reſolved *Nem. Con.*

" That an humble addreſs ſhould be preſented to his majeſty, to return his " majeſty the thanks of that houſe for his moſt gracious meſſage.

" To aſſure his majeſty of their unſhaken attachment to his majeſty's per- " ſon and government, and of their lively ſenſe of his paternal care, in thus " taking the lead to adminiſter content to his ſubjects.

" That thus encouraged by his royal interpoſition, they ſhould beg leave, " with all duty and affection, to lay before his majeſty the cauſe of their diſ- " contents and jealouſies. To aſſure his majeſty, that his ſubjects of Ireland " were a free people; that the crown of Ireland was an imperial crown, in- " ſeparably annexed to the crown of Great Britain, on which connexion the " intereſts and happineſs of both nations eſſentially depended: but that the " kingdom of Ireland was a diſtinct kingdom, with a parliament of her own,

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" the ſole legiſlature thereof: that there was no body of men competent to " make laws to bind this nation, except the King, Lords, and Commons of " Ireland; nor any other parliament, which had any authority or power, of " any ſort whatſoever, in that country, ſave only the parliament of Ireland. " To aſſure his majeſty, that they humbly conceived, that in that right the " very eſſence of their liberties exiſted: a right which, on the part of all the " people of Ireland, they claimed as their birth-right, and which they could " not yield up but with their lives. To aſſure his majeſty, that they had ſeen " with concern certain claims advanced by the parliament of Great Britain, " in an act intituled, *An Act for the better ſecuring the Dependency of Ire-* " *land*; an act containing matter entirely irreconcileable to the fundamental " rights of that nation. That they conceived that act, and the claims it ad- " vanced, to be the great and principal cauſe of the diſcontents and jealouſies " in that kingdom. To aſſure his majeſty, that his majeſty's commons of " Ireland did moſt ſincerely wiſh, that all the bills, which became law in Ire- " land, ſhould receive the approbation of his majeſty under the great ſeal of " Great Britain; but that yet they conſidered the practice of ſuppreſſing " their bills in the council of Ireland, or altering the ſame any where, to be " another juſt cauſe of diſcontent and jealouſy. To aſſure his majeſty, that " an act intituled, *An Act for the better Accommodation of his Majeſty's* " *Forces*, being unlimited in duration, and defective in other inſtances, but " paſſed in that ſhape from the particular circumſtances of the times, was " another juſt cauſe of diſcontent and jealouſy in that kingdom. That they " had ſubmitted theſe the principal cauſes of the preſent diſcontent and jea- " louſy of Ireland, and remained in humble expectation of redreſs. That " they had the greateſt reliance on his majeſty's wiſdom, the moſt ſanguine " expectations from his virtuous choice of a chief governor, and great con- " fidence in the wiſe, auſpicious, and conſtitutional councils, which they ſaw, " with ſatisfaction, his majeſty had adopted. That they had moreover, a " high ſenſe and veneration for the Britiſh character, and did therefore con- " ceive, that the proceedings of that country, founded as they were in " right, and tempered by duty, muſt have excited the approbation and " eſteem, inſtead of wounding the pride of the Britiſh nation. And they begged " leave to aſſure his majeſty, that they were the more confirmed in this hope, " inaſmuch as the people of that kingdom had never expreſſed a deſire to

"ſhare the freedom of England, without declaring a determination to ſhare "her fate likewiſe, ſtanding and falling with the Britiſh nation."

Although the ſhort ſpace of ſix weeks had ſcarcely elapſed, ſince the Houſe of Commons had triumphantly boaſted of their ſteady adherence to the dictates of the Caſtle in rejecting every effort of the patriots to attain that conſtitutional liberty, which they had been labouring at for years; although no change had taken place during that ſhort interval in the internal policy or ſituation of the country, unleſs the love and deſire of liberty were increaſed by reſiſtance; although the prevalence of example in the recognition and ſucceſsful eſtabliſhment of American independence had added to the enthuſiaſm for Iriſh freedom, the ductile and inſtantaneous verſatility of that very majority in ſupporting the propoſitions, which they had before rejected, is a political phænomenon, worthy of the moſt ſerious obſervation. All the miniſterial members of independent fortune ſtarted up in rapid ſucceſſion to purify their paſt conduct by diſclaiming the influence of place or emolument: the chaſteſt motives of patriotiſm had induced them hitherto to oppoſe that very ſyſtem, on which by the magic of new appointments they now diſcovered the ſalvation of their country depended: they even profeſſed, that they held and believed thoſe conſtitutional queſtions, which they had ſo ſteadily and uniformly oppoſed, when they were repeatedly brought forward by the patriots. On the delivery of this meſſage, and after Mr. Grattan's ſpeech to the houſe, Mr. Fitzgibbon defied the houſe to charge him with ever having aſſerted *the ſupremacy of the Britiſh parliament*; though he confeſſed he had voted with miniſters againſt *the declaration of rights*, as judging it then improper to be moved; and more eſpecially as he knew Lord Carliſle was then labouring with his utmoſt intereſt and influence to procure the repeal of the 6th of Geo. I. This gentleman ſpoke the language of his friends, and boldly declared in the houſe,* that *as the nation was then committed to obtain a reſtoration of their rights, it behoved every man to ſtand firm.* A congratulatory addreſs to the Duke of Portland was propoſed by Mr. O'Neil, and unanimouſly voted; which had no ſooner paſſed, than Mr. Fitzgibbon obſerved, that as the ſuddenneſs of Lord Carliſle's departure had rendered it impoſſible to convey to him the opinion entertained of his adminiſtration in the way of

* 1 Parl. Deb. p. 342.

addreſs,

addreſs, he ſhould move a reſolution of that tendency;* which was ſeconded by Mr. Daly.

Mr. O'Neil ſaid, he was happy in paying his tribute to the late lord lieutenant: he had acted in his ſupport, he admired his character, he approved his government.

Mr. Grattan could not agree to the motion, however Lord Carliſle might be reſpectable in character. Many of his meaſures he had diſapproved and oppoſed; and as he could not ſupport the motion without implying an approbation of the government, he felt himſelf bounden to reſiſt it; as did Mr. Forbes and ſome other members.

Mr. Toler, Mr. John Beresford, the attorney general, Mr. Clements, the recorder, Mr. Gardiner, the provoſt, and moſt of the leading members of the late adminiſtration, ſpoke in the higheſt ſtrain of panegyric upon Lord Carliſle's adminiſtration; and the reſolution was carried without a diviſion, there being about five noes.

The firſt diviſion, which took place in the commons under the adminiſtration of the Duke of Portland, was on the Roman Catholic bills, when there appeared 57 for and 11 againſt them.† On the 4th of May, 1782, the houſe adjourned for three weeks, in order to give time to the determination of the Britiſh miniſtry in reſpect to the claim made by the parliament of that kingdom for a declaration of rights. The length of adjournment was rather oppoſed by Mr. Martin, which brought on an intereſting converſation, in which

* Lord Carliſle returned thanks to the ſpeaker of the Houſe of Commons in the following letter.

"SIR, *Dublin, 17 April, 1782.*

"I have received your letter, communicating a vote of the Houſe of Commons, acknowledging "in terms highly flattering to me, the uniform and unremitted attention with which I have endea- "voured, during my adminiſtration, to promote the welfare of this kingdom: I requeſt you to "offer to that houſe, where you ſo worthily preſide, my moſt ſincere thanks, for this mark of na- "tional approbation. It is with cordial pleaſure, that I ſhall ever reflect on the fortunate combi- "nation of circumſtances, if by them I have been enabled to encourage the commercial intereſts of "the kingdom, to promote the great improvements of this metropolis, to give a new ſpring to the "public credit, to ſee the liberty of the ſubject ſecured by law, to add weight and dignity to the "adminiſtration of juſtice, conciliate to his majeſty's government every perſuaſion and deſcrip- "tion of men, and finally to mature the meaſures of uniting a loyal people in general harmony and "happineſs. Permit me to offer you my beſt thanks, for the very obliging expreſſions with which "you have accompanied this communication. I have the honor to be, &c.

CARLISLE."

† Parl. Deb. p. 35.

Mr.

Mr. Fitzgibbon and Mr. Scott, the attorney general, ſpoke on the independent rights of Ireland with as much enthuſiaſm, as the higheſt flying patriot under the late adminiſtration. They both pointedly reprobated the appellant juriſdiction to the Houſe of Lords in Great Britain, and followed Mr. Grattan in calling upon their countrymen to renounce it for ever. It is but juſtice to thoſe noble patriots, by whoſe perſevering and undaunted efforts Ireland regained her rights, to hand down to poſterity ſome of the avowals and honorable teſtimonials of thoſe very perſons, who marſhalled the ranks, who ſtimulated the ſpirit, who led on the charge of their opponents in the long unavailing ſtruggle for liberty.

Mr. Fitzgibbon, referring to his former declaration, "that as he had been cautious in committing his country, ſo now that it was committed, he would be firm in ſupporting its rights;" ſaid, that as the right of making laws to bind Ireland lay in their King, Lords, and Commons, to the total excluſion of all foreign interference, it was idle to ſuppoſe that any appeal ought to lie from the law courts there: and the attorney general ſaid, he was perſuaded, that if after what had paſſed and been preſſed by ſo many gentlemen of conſideration and diſtinction he ſhould remain ſilent, there was not a man in that houſe, who would not attribute it to fear, paltry fear of loſing his office and ſituation; he had, he confeſſed, heretofore protracted, poſtponed, palliated, and endeavoured to ſooth that country from declarations or acts of extremity; his ſentiments had been much miſrepreſented to his diſadvantage; but he was not ſurpriſed or offended, that the nation, eager in the purſuit of a great and favourite object, ſhould have conſidered any man, who ſeemed to differ from them in ſentiment, as an object of deteſtation and reſentment. He thought it better, that every object of thoſe Britiſh laws ſhould be doomed to deſtruction, than that his country ſhould longer even be ſuppoſed to be in a ſtate of ſlavery; he therefore called the attention of the houſe, to bear witneſs, that by holding a myſterious or equivocal ſilence longer upon the ſubject of right, he ſhould do equal injury to the intereſts of Great Britain and Ireland. He did conſequently, as a lawyer, a faithful ſervant to the crown, a well-wiſher to both countries, and an honeſt Iriſhman, in the moſt unqualified, unlimited, and explicit manner, declare his opinion, that Great Britain had no right whatſoever to bind that country by any law; and that ſuch acts as had been paſſed for that purpoſe in Great Britain, were founded in uſurpation or the neceſſity and confuſion of the times; that he never

never had a doubt upon the queſtion of right, though from motives of prudence and a deſire of peace, he had heretofore thought it neceſſary not to declare any opinion upon the queſtion of right. Their conduct during the preſent American war entitles them, he ſaid, to more than they aſked. Another event which had lately happened, and made it neceſſary for him to ſpeak out, was Mr. Wallace's bill, offering freedom to America. This act operated as an act of pains and penalties to the loyalty of Ireland; for if America be declared free, and Ireland left in ſlavery, no man of either ſpirit, ſentiment, or property, would remain in the country an hour after America ſhould have been declared independent. Ireland would become the abſolute ſink of the univerſe, the only part of the Britiſh dominions, which could not boaſt the freedom of the Britiſh conſtitution. As the friend of Great Britain and Ireland, he thought it neceſſary to expreſs theſe ſentiments boldly; for if in his ſituation he were longer to continue ſilent, it might be thought in Great Britain, that there was yet a diverſity of opinion in Ireland.

The ſituation of Ireland was now fairly brought under the full conſideration of his majeſty's ſervants;* and the neceſſary conſequence of it, was a proper ſenſe of the ſpirit, ſtrength, and importance of Ireland, and of the neceſſity of a cordial co-operation of the two countries for the proſperity of the Britiſh empire. By accord the whole powers of the ſtate were brought to bear upon the point on the ſame day (17 May, 1782) in the houſes of both parliaments. The Earl of Shelburne (now Marquis of Lanſdown) in the Britiſh Houſe of Peers moved to have the king's meſſage, the addreſſes of the

* We are informed by Lord Clare (Sp. 33) that on the 6th of May the Duke of Portland wrote to Lord Shelburne, "recommending to the Britiſh cabinet conceſſion of all the points demanded "by the Iriſh addreſſes," but "ſtating his perfect confidence in the readineſs of the Iriſh parliament to co-operate in the moſt effectual meaſures either with the king's confidential ſervants, or "by commiſſioners to be appointed, or through the medium of the chief governor; to ſettle the "preciſe limits of the independence which was required, the conſideration which ſhould be given "for the protection expected, and the proportion, which it would be proper for them to contribute "towards the general ſupport of the empire; in purſuance of the declaration contained in the concluding paragraph of their own addreſs. The regulation of the trade would make a very neceſſary article of the treaty." This communication was made by the Duke of Portland before the claims of Ireland were brought into diſcuſſion in the Britiſh parliament: and plainly on the faith of this repreſentation made to the Britiſh cabinet, of the readineſs on the part of Ireland to ſettle every queſtion of imperial policy or regulation, which might thereafter ariſe, the ſubject of the Iriſh claims was brought on in the Britiſh parliament.

lords

lords and commons of Ireland in return to it, and the 6th of George I. for the better ſecuring the dependance of Ireland on the crown of Great Britain, read; and when they had been read, in a moſt liberal, inſtructive, and conſtitutional ſpeech, he diſplayed the powers of the accompliſhed orator and ſtateſman. He propoſed to lay before their lordſhips his ſentiments, without the leaſt reſerve, to make a full diſcuſſion of one of the moſt important ſubjects, that ever came before them, and to obſerve in that ſtage of the buſineſs, that ſame open, frank, and ſtrict conduct, which he had ever obſerved in his communication with Ireland. It always had been, and it always ſhould be, the line of his conduct, to act openly and without diſguiſe, truſting that, as he ſpoke his own ſentiments freely, and never ſhould attempt to deceive parliament, other lords would expreſs theirs with as little reſerve; for he wiſhed to invite an open diſcuſſion of great national queſtions. Ireland had demanded by the papers on the table, four things; the firſt and the moſt eſſential to them was a free conſtitution, which they would not be ſaid to enjoy while they were ſubject to laws not made with their own conſent. But this had long been a ſubject of complaint; and it was one of the great grievances required to be redreſſed by every part of the Iriſh in the war which began in 1640.

The claim had at all times been made, and now that Ireland was united, religious diſputes all compoſed, growing in wealth and ſtrength, and faſt improving in all the arts of peace, it was impolitic, it would be unjuſt, and he believed he might appeal to their lordſhips' conviction, that it would be impoſſible to reſiſt the claim: he ſhould therefore move a repeal of the act he had deſired to be read, which would give quiet and ſatisfaction to the minds of the Iriſh, and leave no cauſe to check the affection and zeal they felt for this country, whoſe fate they had declared themſelves willing to ſhare. There was in this act another matter, the judicature of the lords, which he was aware would be thought by ſome to be diſtinct from the legiſlature. It happened, that the two ſubjects were clearly connected in the act he had moved to repeal; the hiſtory of which he fully went into.

That was all he meant to propoſe, as matter of parliamentary deciſion; but there were other points for the executive power, which he did not mean to diſſemble, for in all affairs he deſired to be plain, open, and direct. The condition of the Iriſh parliament was ſingularly clogged by ancient ſtatutes, framed for the times, and which, though ſoftened by practice, were ſtill a great

great check to their freedom. Their lordſhips would ſee he meant Poynings' law; of the unreaſonableneſs and inconveniency of which he ſpoke very fully. The people of Ireland wiſhed to be relieved from it, and either by a repeal, or a modification, he thought it was found wiſdom to comply with their deſires. The perpetuity of the mutiny act was another ſubject of complaint, in which he thought, as it was a matter of internal regulation, it was juſt to comply with the deſire of Ireland, that there ſhould be no diſtinction between that country and Great Britain. He concluded with expreſſing his ſtrong reliance on the affection and gratitude, which ſuch fair and liberal conceſſions would excite, and ſtrenuouſly urged the neceſſity of union at that moment with our ſiſter kingdom, and that ſhe might be made to feel in the language of our holy prayers, *that our ſervice is perfect freedom.*

He concluded with reading two motions;

Firſt, "That it was the opinion of that houſe, that the act of the 6th of "George I. intituled, *An Act for the better ſecuring the dependency of Ire-* "*land upon the Crown of Great Britain*, ought to be repealed."

Second, "That it was the opinion of that houſe, that it was indiſpenſable "to the intereſts and happineſs of both kingdoms, that the connexion be- "tween them ſhould be eſtabliſhed by mutual conſent, upon a ſolid and per- "manent footing, and that an humble addreſs ſhould be preſented to his ma- "jeſty, that his majeſty would be graciouſly pleaſed to take ſuch meaſures as "his majeſty in his royal wiſdom ſhould think moſt conducive to that im- "portant end."

When he had moved the ſecond,

The Earl of Carliſle, in an elegant ſpeech, expreſſed his approbation of the motions. He bore ample teſtimony to the zeal and loyalty of the Iriſh, and particularly ſtated the honorable conduct of the volunteers, and the liberal offers made of their ſervice, when Ireland was threatened with an attack. He ſaid, that had he been more perſuaded than he was, that Ireland had ever relinquiſhed its right of free legiſlation, which he knew they neither had, nor could give up, he ſhould ſtill have thought it wiſe to accede to their claim; becauſe he knew, that from the gratitude and affection of the country, and the wiſdom of the parliament, much more advantage would ariſe to this country, than by maintaining any offenſive and ill-founded pretenſions to control over them.

Lord Camden, Lord Aſhburton, the Dukes of Richmond and Chandos,

and indeed the whole Houſe of Peers, eagerly aſſented to Lord Shelburne's motions, except Lord Loughborough (now Earl of Roſelyn), who tenaciouſly oppoſed them; and he alone prevented them from paſſing *Nemine Contradicente.* *On the ſame day the Houſe of Commons reſolved itſelf into a committee upon the Iriſh addreſſes, when Mr. Fox, with his uſual liberality, candour, and power, ſaid, he would ſpeak as plainly, as roundly, and intelligibly as he could. He conſidered the ſame four points, to which Lord Shelburne had confined the demands of Ireland, and ſpoke minutely to each: and firſt, on the 6th of Geo. I. it had always been his opinion out of office, that it was downright tyranny, to make laws for the internal government of a people, who were not repreſented among thoſe, by whom ſuch laws were made. This was an opinion ſo founded in juſtice, reaſon, and equity, that in no ſituation had he, or would he ever depart from it. Ireland had reaſon to ſpurn at the power of external legiſlation, becauſe it had been hitherto employed for the purpoſe only of oppreſſing and diſtreſſing her. Had Ireland never been made to feel this power as a curſe, ſhe never would have complained of it; fatally for this country, the power of external legiſlation had been employed againſt Ireland as an inſtrument of oppreſſion, to eſtabliſh an impolitic monopoly in trade; to enrich one country at the expence of the other. When the Iriſh firſt complained of this monopoly about four years ago, and aſked as favors what they might have claimed as a right, they were oppoſed in that houſe, and their demands, which were no leſs modeſt than juſt, were diſregarded. The demands were rejected, when the then firſt confidential ſervant of the crown came down to vote againſt them; the influence of the miniſter was exerted, perhaps for the purpoſe of preſerving a few votes on other occaſions, and the rights and diſtreſſes of Ireland were conſigned to oblivion.

It was his intention not to purſue the footſteps of his predeceſſors; and therefore he would agree to the demands of the Iriſh, relative to the 6th of Geo. I. not becauſe he was intimidated, and afraid to oppoſe them; but becauſe he believed them to be founded in juſtice; for his part he had rather ſee Ireland totally ſeparated from the crown of England, than kept in obedience only by force; unwilling ſubjects were little better than enemies; it would be better not to have ſubjects at all, than to have ſuch as would be continually on the watch, to ſeize the opportunity of making themſelves free. If

* 7 Parl. Deb. p. 106.

this

this country ſhould attempt to coerce Ireland, and ſucceed in the attempt, the conſequence would be, that, at the breaking out of every war with any foreign power, the firſt ſtep muſt be to ſend troops over to ſecure Ireland, inſtead of calling upon her to give a willing ſupport to the common cauſe. As the people of Ireland had one and all declared, that they would not execute or obey any order of any Engliſh tribunal, it would therefore be nugatory and abſurd to maintain the appellant juriſdiction to Great Britain; and conſequently it would be better to give it up with a good grace, than to keep it as a bone of contention between the two countries. He came next to the modification of the law of Poynings, which he was free to confeſs appeared to him improper: and therefore he could have no objection to adviſe his majeſty to conſent to the modification, that they required of that law; but he was convinced that, like the 6th of George I. this power of altering might have ſtill remained, if an improper uſe had not been made of it; but to his knowledge it had been groſsly abuſed; in one inſtance in particular, a bill had been ſent over to England two years ago, granting, and very wiſely and very juſtly granting, indulgencies to the Roman Catholics; in that ſame bill there was a clauſe in favor of the Diſſenters for repealing the ſacramental teſt; this clauſe was ſtruck out, contrary, in his opinion, to ſound policy, as the alteration tended to make an improper diſcrimination between two deſcriptions of men, which did not tend to the union o the people. It was by ſuch conduct, that the Iriſh were driven to pronounce the interference of the Engliſh privy council in altering their bills, a grievance, though in his opinion, the power would never have been complained of, if it had never been abuſed. He came laſtly to the mutiny bill, and he freely confeſſed, that it was no matter of ſurprize, that the Iriſh ſhould object to a clauſe which gave a perpetual eſtabliſhment to a military force in their country; and ſo hoſtile did he deem ſuch a clauſe to the conſtitution of England as well as of Ireland, that if the Iriſh had never mentioned this law among their grievances, he would have held it to be his duty, as an Engliſhman, to have recommended the repeal of it. Ireland had ſpoken out, and clearly and plainly ſtated what ſhe wanted; he would be as open with her, and though he might perhaps have been better pleaſed, if the mode of aſking had been different, ſtill he would meet her upon her own terms, and give her every thing ſhe wanted, in the way, which ſhe herſelf wiſhed for it. She therefore could have no reaſon to complain; the terms acceded to by Eng-

land, were propoſed by herſelf; the manner of redreſs had been preſcribed by herſelf, and all her wiſhes would now be gratified in the way which ſhe herſelf liked beſt: but as it was poſſible, that if nothing more was to be done, than what he had ſtated to be his intention, Ireland might perhaps think of freſh grievances, and riſe yearly in her demands; it was fit and proper that ſomething ſhould be now done towards eſtabliſhing on a firm and ſolid baſis, the future connexion of the two kingdoms. But that was not to be propoſed by him in parliament; it would be the duty of the crown to look to that; the buſineſs might be firſt begun by his majeſty's ſervants in Ireland; and if afterwards it ſhould be neceſſary to enter into a treaty, commiſſioners might be ſent from the Britiſh parliament, or from the crown, to enter upon it, and bring the negociation to a happy iſſue, by giving mutual ſatisfaction to both countries, and eſtabliſhing a treaty which ſhould be ſanctified by the moſt ſolemn forms of the conſtitutions of both countries. He entertained no gloomy thoughts with reſpect to Ireland: he had not a doubt but ſhe would be ſatisfied with the manner, in which England was about to comply with her demands; and that in affection, as well as in intereſt, they would be but one people. If any man entertained gloomy ideas, he deſired him to look at the concluding paragraph of the Iriſh addreſſes, where he would find, that the Iriſh people and parliament were filled with the moſt earneſt deſire to ſupport England, to have the ſame enemy and the ſame friend; in a word, to ſtand or fall with England. He deſired gentlemen to look forward to that happy period, when Ireland ſhould experience the bleſſings that attend freedom of trade and conſtitution; when by the richneſs and fertility of her ſoil, the induſtry of her manufacturers, and the increaſe of her population, ſhe ſhould become a powerful country: then might England look for powerful aſſiſtance in ſeamen to man her fleets, and ſoldiers to fight her battles. England renouncing all right to legiſlate for Ireland, the latter would moſt cordially ſupport the former as a friend, whom ſhe loved; if this country on the other hand, were to aſſume the power of making laws for Ireland, ſhe muſt only make an enemy inſtead of a friend; for where there is not a community of intereſts, and a mutual regard for thoſe intereſts, there the party, whoſe intereſts are ſacrificed, becomes an enemy. The inteſtine diviſions of Ireland were no more; the religious prejudices of former ages were forgotten, and the Roman Catholics being reſtored to the rights of men and citizens, would become an acceſſion of ſtrength and wealth to the empire at large, inſtead

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of being a burthen to the land, that bore them. The Diſſenters had taſted of the liberality of the legiſlature, and now in common with their Roman Catholic brethren would enjoy that happy toleration, which does not confer more happineſs on thoſe, who are the objects of it, than it does honor to thoſe, who eſtabliſh it.

Upon the whole he was conviuced, that the Iriſh deſired nothing more ardently than proper grounds for being moſt cordially united to England; and he was ſure, that they would be attached to this country, even to bigotry. Of the volunteers, he muſt ſpeak reſpectfully: they had acted with temper and moderation, notwithſtanding their ſteadineſs: and he muſt in juſtice to them, and to his own principles, declare, that they had not done a ſingle act, for which they had not his veneration and reſpect; and whatever blame there might be diſcovered in the courſe of the buſineſs, he did not impute a particle of it to Ireland, but laid it all at the door of the late adminiſtration. He concluded by moving, "that it is the opinion of this committee, that the act of "the 6th of George I. entitled *An act for better ſecuring the dependence of* "*Ireland on the crown of Great Britain*, ought to be repealed." He juſt obſerved, that this would be a pledge to the Iriſh of the ſincerity of his majeſty's miniſters to deal fairly and openly with Ireland, through the whole of this important buſineſs. Mr. T. Pitt, and ſeveral other gentlemen, who had before taken a part againſt Ireland, ſpoke in ſupport of the motion: even Mr. Eden was forward in ſupporting it. The queſtion was carried unanimouſly.

Mr. Fox then moved for leave to bring in a bill for repealing the 6th of George I. and then, that an addreſs ſhould be preſented to his majeſty, praying, that he would be graciouſly pleaſed to take ſuch ſteps, as ſhould tend to render the connexion between the two kingdoms ſolid and permanent. And laſtly, that it was the opinion of the committee, that the intereſts of the two kingdoms were inſeparable, and that their connexion ought to be founded on a ſolid and permanent baſis; which motions and reſolution were unanimouſly agreed to.

In the meanwhile a correſpondence between the members of the two countries was kept up. A letter was written on the 20th of May, 1782, by the Duke of Portland, to Mr. Fox, in anſwer to a diſpatch received from him. "I ſhould be very glad to hear that Lord Charlemont was inclined to accede "to any part, or even to the idea of ſuch a plan as you have communicated

"to

" to me; I ſhould think it a material ſtep to that ſituation, in which it is the " clear intereſt of both kingdoms to be placed, being convinced, that what is " moſt like union, is the moſt probable bond of connexion to reſtore and per- " petuate the harmony and proſperity of the two countries." The Marquis of Rockingham wrote about the ſame time to the ſame effect. His letter is dated the 25th of May: " The eſſential points on the part of Ireland now ac- " ceded to, will, I truſt, eſtabliſh a perfect cordiality between the two coun- " tries; and as there cannot now exiſt any ground of conteſt or jealouſy be- " tween them on matters of right, the only object left for both will be, how " finally to arrange, ſettle, and adjuſt all matters, whereby the union of power, " ſtrength, and mutual and reciprocal advantage will be beſt permanently " fixed. I obſerve, in Lord Shelburne's letter to your Grace of the 18th of " May, he ſtates more reluctance to the idea of commiſſioners than I ſhould " judge to be the general opinion of his majeſty's ſervants; the meaſure may " be doubtful; but if approved by the leading gentlemen of Ireland, might " be productive of much good."

On the 27th of May, 1782, the parliament of Ireland met according to adjournment, when his Grace the Duke of Portland made the following ſpeech from the throne:*

" My Lords and Gentlemen,

" IT gives me the utmoſt ſatisfaction that, the firſt time I " have occaſion to addreſs you, I find myſelf enabled, by the magnanimity " of the king, and the wiſdom of the parliament of Great Britain, to aſſure " you, that immediate attention has been paid to your repreſentations; and " that the Britiſh legiſlature have concurred in a reſolution to remove the " cauſes of your diſcontents and jealouſies, and are united in a deſire to gra- " tify every wiſh expreſſed in your late addreſſes to the throne.

" If any thing could add to the pleaſure I feel in giving you theſe aſſur- " ances, it is, that I can accompany them with my congratulations on the " important and deciſive victory gained by the fleets of his majeſty, over thoſe " of our common enemy in the Weſt-Indies, and on the ſignal advantage " obtained by his majeſty's arms in the iſland of Ceylon, and on the coaſt of " Coromandel.

" By the papers, which in obedience to his majeſty's commands, I have di- " rected to be laid before you, you will receive the moſt convincing teſtimony

* Parl. Debates, p. 355.

" of

" of the cordial reception, which your repreſentations have met with from the " legiſlature of Great Britain; but his majeſty, whoſe firſt and moſt earneſt " wiſh, is to exerciſe his royal prerogative in ſuch a manner, as may be moſt " conducive to the welfare of all his faithful ſubjects, has further given me in " command, to aſſure you of his gracious diſpoſition to give his royal aſſent " to acts to prevent the ſuppreſſion of bills in the privy council of this king- " dom, and the alteration of them any where; and to limit the duration of " the act for the better regulation and accommodation of his majeſty's forces " in this kingdom to the term of two years.

" Theſe benevolent intentions of his majeſty, and the willingneſs of his par- " liament of Great Britain to ſecond his gracious purpoſes, are unaccompa- " nied by any ſtipulation or condition whatever. The good faith, the gene- " roſity, the honor of this nation, afford them the ſureſt pledge of a corre- " ſponding diſpoſition on your part to promote and perpetuate the harmony, " the ſtability, and the glory of the empire.

" On my own part I entertain not the leaſt doubt, but that the ſame ſpirit, " which urged you to ſhare the freedom of Great Britain, will confirm you in " your determination to ſhare her fate alſo, ſtanding and falling with the Bri- " tiſh nation."

After the ſpeech was read, Mr. Grattan called the attention of the houſe to a ſubject of the higheſt importance, and then ſpoke as follows:—" I ſhould " deſert every principle, upon which I moved the former addreſs, (requiring " a reſtoration of the rights of Ireland,) did I not bear teſtimony to the can- " did and unqualified manner, in which that addreſs has been anſwered by " the lord lieutenant's ſpeech of this day. I underſtand that Great Britain " gives up *in toto* every claim to authority over Ireland. I have not the leaſt " idea, that in repealing the 6th of George I. Great Britain ſhould be bounden " to make any declaration, that ſhe had formerly uſurped a power. No, " this would be a fooliſh caution; a diſhonorable condition. The nation that " inſiſts upon the humiliation of another, is a fooliſh nation. Ireland is not a " fooliſh nation. Another part of great magnanimity in the conduct of Bri- " tain is, that every thing is given up unconditionally. This muſt for ever " remove ſuſpicion. On former occaſions, when little acts of relief were done " for Ireland, it was premiſed, that it was expedient to do them; no ſuch

* 1 Parl. Debates, p. 855.

" word

" word is now made uſe of. Never did a Britiſh miniſter ſupport ſuch ho-
" norable claims on ſuch conſtitutional arguments. With reſpect to the writ
" of error, though not mentioned in our addreſs, he took it up in the moſt
" effectual way; and indeed the whole tenor of his conduct towards us has
" been moſt generous and ſincere; we had one advantage, he entertained an
" opinion, that Ireland was not inſatiable, though it had been aſſerted, that
" Ireland was inſatiable. But we are bound to prove the falſehood of that
" aſſertion; for as the nation was pledged to itſelf to obtain a reſtoration of
" her rights; ſo now that her rights are reſtored liberally and uncondition-
" ally, ſhe is pledged to Great Britain, who, by acceding to our claims, has
" put an end to all future queſtions. We have now recovered a conſtitution,
" and our buſineſs is not to advance, but to maintain it. Ireland will mani-
" feſt as much magnanimity in the moderation, by which ſhe maintains her
" conſtitution, as by the exertions, through which it has been recovered. The
" unanimity, with which the Britiſh Houſe of Commons acceded to our
" claims, muſt for ever do them honor; and the ſingle negative in the lords,
" whilſt it in no wiſe diminiſhes their praiſe, has its uſe; it ſerves to diſcover,
" and for ever to exclude from truſt or confidence in either nation, the man,
" who could not only oppoſe the intereſt and happineſs of both, but alſo the
" ardent wiſhes and deſires of his ſovereign to make his people happy. We
" ought not to forget the able ſupport given by thoſe perſons, who com-
" poſed the late adminiſtration of Ireland; it muſt be highly agreeable to thoſe,
" who compoſe the preſent.

" The things ſo graciouſly offered by our ſovereign, are the modification of
" Poynings' law; and not only the abridgment of the mutiny bill, in point of
" duration, but the forming it on the model of the Engliſh mutiny bill, and
" prefacing it with a declaration of rights.

" As Great Britain and her miniſters have unconditionally agreed to the de-
" mands of the Iriſh, I think the ſpirit of the nation is called upon to make
" an unconditional grant to England. The ſea is the element, to which na-
" ture points as the ſcene of Britiſh glory; it is there we can moſt effectually
" aſſiſt her. Twenty thouſand ſeamen would be a noble ſupport; and we,
" who have been ſquandering the public money, in all the waſte of blind ex-
" travagance, cannot ſurely now deem 100,000*l.* too large a ſum, when ap-
" plied to the common defence of the empire: the ſum is trifling, but the
" aſſiſtance of 20,000 Iriſhmen would be great; and gentlemen will now,

" when

" when they retire to their different counties, have a full opportunity in aſſiſt-
" ing to raiſe thoſe men, of manifeſting their zeal for the common cauſe of
" Great Britain and Ireland. There are alſo other means of ſupport in our
" power to give to Britain, though they cannot immediately be entered upon.
" This country is moſt happily ſituated for the conſtruction of docks, and the
" rendezvous of ſhipping; whatever expence might be incurred by ſuch ne-
" ceſſary works, would be repaid by the expenditure of the money amongſt
" ourſelves, and might be ſupported by a prudent and œconomical management
" of the public revenues, in the ſavings of the army, and in every different
" claſs of extraordinaries. An expence of 17*l.* per cent. in the collection of
" the revenue, cannot be juſtified; the commiſſioners will now ſee, that mo-
" ney is to be paid for labour, not for proſtitution; therefore let us now
" enter, heart and hand, into the great work of reformation, by giving our
" ſupport to that miniſtry, which has reſcued this country from oppreſſion,
" and will reſcue it from corruption. On this principle I ſhall move you an
" addreſs, devoid of all that fulſome panegyric ſo commonly offered to his
" majeſty; for I think that truth will be the higheſt compliment to him."

Mr. Grattan then moved,

" To aſſure his majeſty of our unfeigned affection to his royal perſon and
" government; that we feel moſt ſenſibly the attention, which our repreſenta-
" tions have received from the magnanimity of his majeſty, and the wiſdom
" of the parliament of Great Britain.

" To aſſure his majeſty, that we conceive the reſolution for an unqualified,
" unconditional repeal of the 6th of George I. to be a meaſure of conſummate
" wiſdom and juſtice, ſuitable to the dignity and eminence of both nations,
" exalting the character of both, and furniſhing a perpetual pledge of mutual
" amity.

" To aſſure his majeſty, that we are ſenſibly affected by his virtuous deter-
" mination to accede to the wiſhes of his faithful people, and to exerciſe his
" royal prerogative in a manner moſt conducive to their welfare; and ac-
" cordingly we ſhall immediately prepare bills to carry into execution the
" deſires of his majeſty's people, and his own moſt benevolent purpoſes.

" That gratified in thoſe particulars, we do aſſure his majeſty, that no conſ-
" ſtitutional queſtion between the two nations will any longer exiſt, which can
" interrupt their harmony; and that Great Britain, as ſhe has approved of

" our firmneſs, ſo may ſhe rely on our affection. That we remember, and " do repeat our determination, to ſtand and fall with the Britiſh nation.

" That we perceive with pleaſure the magnanimity of his majeſty, to diſ- " dain the little policy of making a bargain with his people; and feeling " with pride the confidence he repoſes in the good faith, generoſity, and " honour of the Iriſh nation, we anſwer with all humility, that his majeſty " entertains a juſt ſenſe of our character. Common intereſt, perpetual con- " nexion, the recent conduct of Great Britain, a native affection to the Bri- " tiſh name and nation, together with the conſtitution, which we have re- " covered, and the high reputation, which we poſſeſs, muſt ever decide the " wiſhes as well as the intereſt of Ireland, to perpetuate the harmony, ſtabi- " lity, and glory of the empire. Accordingly, we aſſure his majeſty, that we " learn with ſingular ſatisfaction the account of his brilliant ſucceſſes in the " Eaſt and Weſt-Indies, gratified at one and the ſame inſtant in our deareſt " wiſhes, the freedom of Ireland, and glory of Great Britain.

" That we cannot omit expreſſing our gratitude to his majeſty, for ap- " pointing the Duke of Portland to the government of this kingdom.

" That we are convinced his repreſentations were faithful, vigorous, and " beneficial. We are acquainted with his character; and relying on his " upright and frugal adminiſtration, make no doubt but a free people, and " uncorrupt parliament, will unite to give a conſtitutional chief governor de- " cided ſupport.

" That we have preſumed to lay before his majeſty our genuine ſentiments " on the change of our ſituation. His majeſty will receive them as the vo- " luntary unſtipulated tribute of a free and grateful people."

Mr. Brownlow expreſſed his extraordinary ſatisfaction in ſeconding the motion. Both nations were now one people united by every tie, enjoying in common the ſame liberty, the ſame conſtitution, and the ſame ſovereign. He had heard ſeveral addreſſes moved for in that houſe, and he might ſafely add, not one of which conveyed truth: but that addreſs ſpoke the ſincere language of the nation, where Proteſtant, Roman Catholic, all religions preſſed forward with gratitude in the preſent moment to hail the nation's acquiſition of a conſtitution. Almoſt the whole houſe roſe ſucceſſively to make public profeſſion of their joy and gratitude on the happy event. Two gentlemen only differed upon the propriety of the following words in the addreſs, viz. *That there will no longer exiſt any conſtitutional queſtion between the two nations,*

nations, that can diſturb their mutual tranquillity. The houſe divided upon the words objected to; when there were for the addreſs as it ſtood 211, and the noes were the two tellers, the Recorder and Mr. Walſh.*

No

* Although theſe two gentlemen only out of the whole Houſe of Commons in Ireland were of opinion, that any conſtitutional queſtion between the two nations was ſtill outſtanding; yet Lord Clare, in order to prove that the tranſactions of 1782 between Great Britain and Ireland were not conſidered as final, tells us, that on the 6th of June the Duke of Portland thus wrote to Lord Shelburne: "I have the beſt reaſon to hope that I ſhall ſoon be enabled to tranſmit to you the ſketch "or outlines of an act of parliament to be adopted by the legiſlatures of the reſpective kingdoms, "by which the ſuperintending power and ſupremacy of Great Britain, in all matters of ſtate and "general commerce, will be virtually and effectually acknowledged; that a ſhare of the expence "in carrying on a defenſive or offenſive war, either in ſupport of our own dominions, or thoſe of "our allies, ſhall be borne by Ireland in proportion to the actual ſtate of her abilities, and that ſhe "will adopt every ſuch regulation as may be judged neceſſary by Great Britain for the better or-"dering and ſecuring her trade and commerce with foreign nations, or her own colonies and de-"pendencies, conſideration being duly had to the circumſtances of Ireland. I am flattered with the "moſt poſitive aſſurances from ——— and ——— of their ſupport in carrying ſuch a bill through "both houſes of parliament, and I think it moſt adviſable to bring it to perfection at the preſent "moment." And he happened to know from an official quarter, that the ſketch of ſuch an act of parliament was then drawn. He knew the gentleman who framed it, and he knew from the ſame quarter, that blank and blank and blank and blank did unequivocally ſignify their approbation of it. This communication was received with the ſatisfaction, which it demanded by the Britiſh cabinet. On the 9th of June Lord Shelburne wrote to the Duke of Portland in anſwer to his laſt diſpatch: "The contents of your grace's letter of the 6th inſt. are too important to heſitate about "detaining the meſſenger, whilſt I aſſure your grace of the ſatisfaction, which I know your letter "will give the king. I have lived in the moſt anxious expectation of ſome ſuch meaſure offering "itſelf: nothing prevented my preſſing it in this diſpatch, except having repeatedly ſtated the juſt "expectations of this country, I was apprehenſive of giving that the air of demand, which would "be better left to a voluntary ſpirit of juſtice and foreſight. No matter who has the merit, let the "two kingdoms be one, which can only be by Ireland now acknowledging the ſuperintending "power and ſupremacy to be where nature has placed it, in preciſe and unambiguous terms. I "am ſure I need not inculcate to your grace the importance of words in an act, which muſt decide "on the happineſs of ages, particularly in what regards contribution and trade, ſubjects moſt "likely to come into frequent queſtion."

This bright proſpect of peace and happineſs was however very ſoon clouded; for on the 22d of June the Duke of Portland wrote to Lord Shelburne: "The diſappointment and mortification I "ſuffer by the unexpected change in thoſe diſpoſitions, which had authoriſed me to entertain the "hopes I had perhaps too ſanguinely expreſſed in my letter of the 6th inſt. muſt not prevent me "from acquainting you, that for the preſent theſe expectations muſt be given up: I truſt and am "inclined to flatter myſelf they are only ſuſpended, and that they will be revived when the temper

No ſooner had this motion been diſpoſed of, than Mr. Bagenal,* a man of ſterling ſenſe and independence both of mind and fortune, a ſteady and true

" of this country has recovered its tone, and acquired that degree of compoſure, which muſt give it " the firmneſs neceſſary for effectuating ſo wiſe and ſalutary a meaſure. By the accounts of the " events of theſe three or four days, and by the timidity and jealouſy of the firſt people in this coun- " try, it is clear that any injudicious or offenſive meaſure may be prevented, but that any attempt " to conciliate the minds of this nation to any ſuch meaſure as I intimated the hope of, would at " this moment be deluſive and impoſſible."

* His ſpeech was as follows: 1 Parl. Deb. p. 371. " I beg leave to congratulate this country. " We have at laſt got the freedom, which all the world ſhould have: it is our birth-right; but in our " meridian there is no life without it; our exiſtence now begins, and will depend upon what uſe " we make of the population and wealth that will reſult from the advantages of a free conſtitution.

" I will beg leave to congratulate England: inſtead of a nominal, or a repugnant dependant, ſhe " has now a powerful faithful ally, one that ſhe can never exiſt without.

" I will beg leave to congratulate his majeſty: he has conciliated three millions of ſuch ſubjects " as muſt make him happy; men willing to be loyal, as they are determined to be free.

" I will congratulate his miniſters alſo: they may now depend upon ſuch ſupport as they ought " always to look for. And to whom does the empire owe all this? To a man principally, who is " reſolved to take no reward from government. I will not pretend to ſay he was wrong, though I " know that ſuch merit ought to be diſtinguiſhed in every manner poſſible. Shall every body have " what they ought to have, except him alone, to whom every individual in this empire is ſo much " indebted, and by whoſe example every individual in the univerſe may be ſo much benefited? " He has ſaved this empire from an iron age, and has reſtored an unequivocal golden one. By " our affectionate alliance with England, we ſhall not only be benefited ourſelves, but ſhall ſee a be- " loved ſiſter revive, without any painful repining, or apprehenſions for her proſperity.

" In theſe happy circumſtances, in which he has placed us (though I honor every private compli- " ment as I may call thoſe that I ſee paid to our illuſtrious benefactor) I believe there is no man " that would not bluſh to think that a Grattan's child might point at a ſtatue or monument, that " has often been dedicated to ſlender or problematical merit, and ſay, that was my father's, your " benefactor's only reward. I have therefore a motion to make you, which might appear like pre- " ſumption in me, as it is of ſo much importance to the glory and intereſts of this kingdom, if I " could ſuppoſe that any member of the Britiſh empire could give it a negative: the purport of it " is, that we ſhould take into conſideration what ſum we ſhould grant for the purpoſe of pur- " chaſing a ſeat, and building a ſuitable manſion for our great benefactor, in teſtimony of our gra- " titude for the unequalled ſervices that he has done for this kingdom. Were we to omit this, or " ſhould we do it in a manner unſuitable to the ſituation he has raiſed us to, we ſhould be very un- " grateful indeed, and never might we expect, that a bleſſing could attend it.

" It muſt be needleſs to ſay any thing in favor of ſuch a meaſure, or I would not dare to be " the mover of it. I will only add, that as he has left nothing undone that is material to the " proſperity of this kingdom, it can no more lay a precedent for hurtful grants of the ſame nature " here, than Blenheim did in Great Britain.

" Far

true patriot, and whoſe genius like his country owed more to nature than to art or cultivation, roſe, and after congratulating his country, Great Britain, his majeſty, and his miniſters, for having obtained the greateſt of all political bleſſings, he called upon the houſe to confer ſome ſignal mark of a great and grateful nation upon their illuſtrious benefactor Mr. Grattan, whoſe efforts in procuring them theſe bleſſings had been timed and conducted with ſo much wiſdom; and conſidering this great and good man as the father of his regenerated country, he further called upon them to look upon him as the ſpecial inſtrument, which benign Providence had uſed to convert the oppreſſion and bondage of their country into freedom and independence. He therefore gave notice, that on the morrow, after the grant to his majeſty ſhould have been ſettled, and a proper thankſgiving offered to Heaven for the recovery of their rights, he would move, that the houſe ſhould reſolve itſelf into a committee to take into conſideration what ſum they ſhould grant for the purchaſing an eſtate, and building a ſuitable manſion for their illuſtrious benefactor Henry Grattan, Eſq. and his heirs for ever, in teſtimony of their gratitude for the unequalled ſervice he had

" Far be it from me to compare even the ſervices of Marlborough to thoſe, for which we ſtand " indebted; we have no deductions to make from our gratitude: without protracting, or any public " expence, his efforts have been timed and conducted with ſo much wiſdom, and the appearance " of ſuch a being on earth was ſo eſſential to the eſtabliſhment of liberty at this moſt critical junc- " ture, that without ſuperſtition, men may well record him amongſt the moſt propitious interpo- " ſitions of Heaven.

" He has crowned his work, and under his auſpices the throne of freedom is fixed upon ſo cer- " tain a baſis, and will probably be always ſo well ſupported by the due influence the public are " likely to acquire under his ſyſtem, that with the bleſſing of God, there is no danger of parliament " itſelf ever being able to ſhake it; nor ſhall parliament, I truſt, ever again be profanely ſtyled " omnipotent. I am conſcious I muſt have anticipated men infinitely better qualified to bring ſuch " a meaſure forward; one excuſe I have; for it is not the impatient wiſh, that every body muſt " have to ſee ſuch a character exalted; not any little vanity to diſtinguiſh myſelf; but as I never " had any private acquaintance, nor private converſation with our great benefactor, I thought it " might come as well from one from whom he could not have any claim, as from the moſt diſtin- " guiſhed perſonage, that he is intimate with.

" Virtue, to be ſure, is its own reward; and we know, that our generous benefactor is in his own " ſphere of happineſs, content. But ſhall we be content without doing our duty? ſhall we be un- " grateful? God forbid!

" Gratitude ſeems to be a virtue peculiarly adapted to nations that have received ſuch benefits as " ours. It is often neglected by individuals, becauſe it is often out of their power to be as grateful " as they wiſh; we, I truſt, ſhall never have ſuch another opportunity of exerciſing ours. God " forbid we ſhould let it ſlip."

done

done for the kingdom of Ireland: which was afterwards fixed at the ſum of 50,000*l.** in the committee, which reſolution the houſe unanimouſly agreed to, and reſolved, that an addreſs ſhould be preſented to the lord lieutenant, that he would be pleaſed to lay before his majeſty, the humble deſire of that houſe, that he would direct that ſum to be laid out in the purchaſe of lands in the kingdom of Ireland, to be ſettled on Henry Grattan, Eſq. and his heirs, in teſtimony of the gratitude of that nation for his eminent and unequalled ſervices to that kingdom, and that the houſe would make good the ſame.

Now for the firſt time might it be truly ſaid did the Caſtle ſpeak the real, genuine, undiſguiſed language of the Iriſh people: ſuch was happily to be read in the proclamation iſſued by the lord lieutenant in conſequence of the addreſs of the commons on the 29th of May, 1782, that he would be pleaſed to order a proclamation to be iſſued for appointing a day of general thankſgiving throughout this nation, to return thanks to Almighty God, for the many bleſſings beſtowed on the kingdoms of Great Britain and Ireland, particularly for that union, harmony, and cordial affection, which had been happily brought about between theſe two kingdoms, whoſe intereſts were inſeparably the ſame; by the wiſdom and juſtice of his majeſty and his councils in forming and re-eſtabliſhing their mutual rights, by which the ſtrength, honor, happineſs, and glory of the whole empire were greatly augmented; and for the providential and great ſucceſs of his majeſty's arms againſt their natural enemies, which they truſted would tend to bring about a happy, ſtable, and laſting general peace to theſe kingdoms.

Thus publicly and univerſally were expreſſed the joy and congratulation of the nation: and for the moment, happineſs pervaded every corner of the kingdom. But it appears, as if it had been written in the book of fate, that the felicity of Ireland, whilſt independent and ſeparate from Great Britain, ſhould be ſhort-lived, precarious, and unſtable. Ere the rejoicings of the people were concluded, the dæmon of diſcord was buſy in ſowing diſcontent, jealouſy, and envy both within and without the parliament. The two great rival orators, Meſſrs. Grattan and Flood, who appeared equally bent and determined upon acquiring and ſecuring the civil freedom of their country, had different pleas of merit for their conduct: Mr. Flood had for ſeven years enjoyed one of the moſt lucrative offices under government, which he ſacrificed

*. Viz. on 27th May, 1782. 9 Journ. Com. p. 357.

to

to his patriotiſm in the preſent hour: Mr. Grattan never had been in place, and now that he might have come in, through his patriotiſm he declined it. But the honorable tribute of gratitude ſhewn to Mr. Grattan by the vote and addreſs of the commons appears to have been productive of jealouſy and reſentment in the breaſt of Mr. Flood and ſome few of his moſt intimate friends and admirers, which in ſome degree tarniſhed the luſtre and defiled the purity of his moſt patriotic efforts.

The grounds of this unfortunate jealouſy fully appeared within three days after Mr. Bagenal's motion in favor of Mr. Grattan, when Mr. *Montgomery (of Donegal) called the attention of the houſe to an honorable gentleman, the beſt, the moſt able, the moſt indefatigable, the moſt ſincere, that had ever ſacrificed private intereſt to the advantage of his country. After ſuch a deſcription, he ſaid, he need not name Mr. Flood, who had relinquiſhed the moſt lucrative office of the ſtate, rather than deſert the conſtitution of Ireland: and as he knew the preſent adminiſtration intended to raiſe its glory by acting on the moſt liberal principles of freedom, he gave notice, that he did intend to move for an addreſs to his majeſty, that he would be graciouſly pleaſed to reſtore the Right Hon. Henry Flood to the office he lately held, and in this he hoped for the concurrence of the miniſter. He would not, he ſaid, move for any pecuniary reward, as he knew the Right Hon. gentleman in queſtion was above receiving any alms from his country. He was called upon to name a day.

Colonel Fitzpatrick obſerved, that the place of Mr. Flood was no longer vacant: when Mr. Montgomery replied, that it was filled by Sir George Yonge, whoſe ill offices to Ireland might poſſibly at ſome time be properly rewarded. Mr. Walſh ſtrongly ſupported the motion in favor of Mr. Flood; and they were both illiberally abuſive of Sir George Yonge, whoſe character was warmly defended by Sir Henry Cavendiſh. Colonel Fitzpatrick maintained the impropriety of breaking in upon the diſcretionary exerciſe of the prerogative; and ſuggeſted, that if the gentleman meant to perſiſt in his intention, the regular method would be to move firſt for an addreſs to remove Sir George Yonge from his employment.†

When

* 1 Parl. Deb. p. 381. on 30th May, 1782.

† To this Mr. Montgomery obſerved, that if the crown had been miſinformed, and led to beſtow an honorable employment upon an unworthy object, it would be right to undeceive it, and addreſs the

When the houſe was in a committee on the bill for the modification of Poynings' law on the 6th of June, Mr. Yelverton remarked, that as the bill then ſtood, the privy council were obliged to certify all bills, which originated in parliament, and no other, without any alteration; which Mr. Flood contended was not perfectly adequate to the idea entertained by the nation, or what ſeemed neceſſary to do juſtice to the conſtitution. They ought either to declare againſt all uſurpation, or by an effectual repeal to annihilate thoſe pretenſions in future. It was the general opinion, that this act took away the power of originating bills, and gave it to the privy council. That ſhould certainly be repealed, for he did not ſee, by any effect in the preſent bill, but the privy council might recall this power under a corrupt miniſtry, and it was not to be ſuppoſed, that the breed of the Straffords in political principles, was yet extinct; and an arbitrary government might at ſome future period take advantage of the negligence of the preſent hour. He underſtood, and the nation underſtood, that all they aimed at was a ſimilar conſtitution with England, but the bill by implication cut them off from that benefit. He underſtood it to be the conſtitution of the land, that the whole buſineſs of legiſlation was to be done in public; but there was no proviſion made by this bill, which could prevent the ſmothering of bills, or explain the reaſons of a ſilent negative.

Mr. Yelverton ſaid, that the Right Hon. gentleman moſt certainly agreed in principle with him, and they differed only in mode. Their ſentiments were the ſame. He confeſſed the bill did not entirely reſtore what the conſtitution of England enjoyed, but circumſtanced as Ireland was, it was the beſt calculated that could be deviſed. The features of the two kingdoms were not exactly alike; ſome little difference might be diſcovered in the traits, but they were actually and in fact the ſame. To reſtore the conſtitution of Ireland as it once ſtood, would in a great meaſure be reſtoring tumult and diſorder, and going back to the neceſſity of laws, when a lord lieutenant had the ſame power as the king, made peace and war, and exerciſed all the privileges of ſovereignty. Hiſtory furniſhed inſtances, when in the diſputes of

the king to beſtow it on one, that was deſerving of it. And on the 1ſt of June he declared that Mr. Flood knew nothing of his application, or he would not have permitted it to have been made: but although he ſhould defer his motion, he ſtill perſiſted, that it was moſt diſgraceful in the late adminiſtration to diſplace, and in the preſent to permit a gentleman to ſuffer the loſs of 3500*l.* per ann. for his attachment to the conſtitution and intereſts of his country.

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the houſes of York and Lancaſter, two lord-lieutenants, and two parliaments, were in this kingdom, one arraigning and condemning the acts of the other. They ſhould conſider in how liberal and unqualified a manner they had received that conſtitution.

The king ſent a meſſage to his parliament in Ireland, to know what was the cauſe and nature of their diſcontents: they pointed out, in anſwer, three things: firſt, they demanded a renunciation of binding that kingdom by Engliſh laws, (and probably the work was effected, while he was yet ſpeaking;) ſecondly, the modification of Poynings' law, by cutting off the power of the privy councils of either kingdoms to alter their heads of bills; and thirdly, an abridgment of the duration of the mutiny bill.

In conſequence thereof both houſes of the Britiſh parliament paſſed a reſolution conſenting to the repeal of every law, which comprehended them as hitherto bounden. And the queſtion which then remained, was, whether the bill then under conſideration, were comprehenſive enough to meet the general wiſh. They had overturned the power of the privy council; and it only remained to know whether bills ſhould come back, to notify to parliament the royal diſſent. The manner of giving the royal diſſent in England, was a gentle denial. Bills were never expreſsly negatived; but the king ſaid, he had the bill under conſideration. He thought the ſending ſuch bills over, was a ſufficient notification of diſſent. It was certainly fairer to infer, that a bill was under conſideration, than to receive an expreſs negative.

Some few members ſupported Mr. Flood; but the decided majority of the houſe appearing to be for Mr. Yelverton's bill as it ſtood, the queſtion was put and carried without a diviſion.

On the next day when the engroſſed bill for the repeal of part of Poynings' law was read, Mr. Walſh returned to the objections made on the day before, which brought on a debate, in which Mr. Flood ſpoke with unuſual eloquence and energy, and moved* an amendment to the bill, which, as the Prime Serjeant

* The propoſed amendment was, to inſert after the word *Whereas*, the following words :— "doubts have ariſen on the conſtruction of the law commonly called Poynings, and of the third "and fourth of Philip and Mary, explanatory thereof: Be it enacted by the king's moſt excellent "majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in "this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid law of Poy-"nings, and the ſaid third and fourth of Philip and Mary, be and ſtand repealed, ſave only as "follows:

jeant (Mr. H. Burgh) obſerved, was in fact a new bill, in lieu of that, which had received the ſanction of that houſe on the preceding day; and it would be againſt all the rules of parliament to receive it. The chief conteſt of this debate lay between Mr. Flood and the Prime Serjeant.* Mr. Yelverton declared,

" follows: that is to ſay, Be it enacted, that no parliament ſhall be holden in this kingdom, until " a licence for that purpoſe be had and obtained from his majeſty, his heirs, and ſucceſſors, under " the great ſeal of Great Britain: And that all bills, conſiderations, cauſes, ordinances, tenors, " and proviſions, of either, or both houſes of parliament, ſhall be of right certified to his majeſty, " his heirs, and ſucceſſors, unaltered, under the great ſeal of Ireland, by the lord-lieutenant, or " other chief governor or governors, and council of this kingdom, for the time being; and that " ſuch bills, and no others, being returned unaltered, under the great ſeal of Great Britain, ſhall " be capable of receiving the royal aſſent or diſſent in parliament, according to his majeſty's com- " miſſion, either for giving his aſſent or diſſent to the ſame reſpectively."

* On this occaſion Mr. Grattan ſaid, he thought the bill itſelf an anſwer to all the arguments brought againſt it: he ſhould, however, rather remain a ſilent admirer of the great talents of thoſe two gentlemen, than take a decided part in it. In the courſe of this debate, Mr. Ogle threw out an opinion, that a promptneſs to appeal to the majeſty of the people, upon every trivial occaſion, weakened the efficacy of ſuch appeal at times when it might be of real advantage: to which Mr. Flood thus replied:—

" I take notice of what my honorable friend has ſaid, only that he may have an opportunity of " doing honor to the benignity of his own feelings. But miniſters, popular miniſters, will always " be ready to appeal to the people, when they are conſcious that their meaſures are right. By an " appeal to the people, the preſent miniſtry were called into office. And when men of condition, " to whom their country is dear for every reaſon, appeal to the people, they cannot be ſuppoſed to " appeal to turbulence or commotion, but to the ſober judgment of the public. What was the fate " of all our conſtitutional claims, 'till the voice of the people thundered for redreſs? Majorities— " rank majorities—'till a voice from America exhorted you to claim your rights, and the deſires of " the people prevailed. If ever there be a moment when the opinion of the people ought to have " a tenfold weight; it is now when they have lined the cauſe of argument, and encouraged you to " ſpeak a language, which, I will not ſay, you feared to ſpeak, but which certainly you were unwil- " ling to ſpeak before. The bill was propoſed twenty years ago, when parliament was weak and " impotent: it was then rejected with diſdain. And will you now, when you have your conſti- " tution in your hands, when you have your conſtitution in your arms, will you now accept of ſuch " a humiliating condition, and diſgrace the cauſe of your country by ſuch a pitiful expedient?"

And after he had made his motion, concluded his ſpeech in the following manner:—" And " now, Mr. Speaker, if I have a feeling in the utmoſt pulſe of my heart, it is that which tells me, " that this is a great and awful day; it is that which tells me, that if, after twenty years ſervice, " I ſhould paſs this queſtion by neglectingly, I ſhould be a baſe betrayer of my country; it is that " which tells me, that the whole earth does not contain a bribe ſufficient to make me trifle with the " liberties of this land. I do, therefore, with to ſubſcribe my name to what I now propoſe, to

" have

clared, that when he introduced the bill, it was to take away every grievance which had been complained of. In his own apprehenſion that end was anſwered. He had no objection, however, to terms more amplified. He then moved, "that to prevent delays in the ſummoning of parliaments, be it fur-"ther enacted, that no bill ſhall be certified into Great Britain as a clauſe or "conſideration for holding a parliament in this kingdom, but that parliaments "may be holden in this kingdom, although no ſuch bill ſhall have been cer-"tified previous to the meeting thereof." The queſtion being put that the bill ſhould paſs with Mr. Yelverton's amendment, was agreed to without a diviſion.

The grand and critical oppoſition, which Mr. Flood and his few adherents in the Houſe of Commons, made to the proceedings then going forward to accompliſh the demands of the Iriſh parliament, was grounded upon a moſt ungracious ſuggeſtion of the inſincerity and duplicity of Great Britain, in yielding under her embarraſſments to the repeal of the declaratory law of George I. that by ſeeming to yield unconditionally to Ireland, ſhe *ſeiſed* on the generous credulity of her nature, and took full advantage of a change in her own adminiſtration: that Great Britain retained the full principle of her right to legiſlate for every part of the empire: the mover for that repeal in the Britiſh Houſe of Commons, held it externally, and the ſeconder of the motion held it both externally and internally. That a repeal, he inſiſted, without an expreſs renunciation of the right, would leave Ireland preciſely where ſhe was. That as the declaratory act made no alteration in the pre-exiſting law, ſo the repeal of that declaratory act would alſo make no alteration in the pre-exiſting law: and that without ſome poſitive renunciation of the right to legiſlate internally and externally on the part of Great Britain, their work would be but half done, and Ireland might again be enſlaved by the firſt corrupt miniſter, who ſhould chooſe to avail himſelf of the unſuſpecting and too liberal conduct of Ireland. Mr. Flood's doctrines gained more proſelytes out of doors, than in the parliament. Mr. Grattan, and by far the greater part of the houſe confided implicitly in the good faith of Great Britain, and contended, that the ſimple repeal went the whole length of their own de-

"have them handed down together to poſterity, that poſterity may know there was at leaſt one "man, who diſapproved of the temporiſing bill now before the houſe; a bill that future parlia-"ments, if they have power, will reform; if they have not, will with tears deplore."

mands, and gave full redreſs to the grievance they had complained of; and they oppoſed any further attempt at procuring conceſſions from Great Britain: conceiving what had already been done and was about to be done to be completely ſatisfactory in eſtabliſhing the freedom and independence of Ireland. It muſt however be acknowledged, that the arguments of Mr. Flood were very powerful, and had they been urged in their proper ſeaſon would have carried much more weight in the houſe. As it was, both Mr. Yelverton and Mr. Grattan declared in the houſe, that if they could be convinced, that the ſimple repeal was inſufficient, they would moſt cordially join Mr. Flood in his motion. Never was conteſt more fiercely fought than this between the two rival patriots Meſſrs. *Flood* and *Grattan*. It ended on the diviſion of the houſe upon Mr. Flood's motion on the 19th of July 1782,* for leave to bring in the heads of a bill for declaring the ſole and excluſive right of the Iriſh parliament to make laws in all caſes whatſoever internal and external for the kingdom of Ireland.

The death of the Marquis of Rockingham had occaſioned diſſentions in the Britiſh cabinet, which obliged Mr. Fox, Lord John Cavendiſh, Mr. Burke, and other of his friends to reſign. He could not ſubmit to remain in a cabinet, in which he, and his friends, who had come in and acted uniformly upon an open principle, were outvoted; he had declared before the death of the Marquis, that if certain meaſures were carried in the cabinet, he ſhould reſign; and as they had been carried ſince his death, he did reſign, diſdaining to be reſponſible for meaſures he diſapproved of, or to lend his name to a ſyſtem, in which he had no ſhare.† In the new arrangement

* 9 Journ. Com. p. 378. The journals merely ſay, It paſſed in the negative. Mr. Dobbs ſays in his hiſtory, p. 121, "that the minority on that day conſiſted only of ſix.

† The new arrangement was as follows:

The Earl of Shelburne	— To be firſt lord of the Treaſury, *vice* the Marquis of Rockingham.
Lord Grantham Thomas Townſend, Eſq.	} Principal Secretaries of State, *vice* the Earl of Shelburne and Mr. Fox.
Hon. William Pitt	— Chancellor of the Exchequer, *vice* Lord John Cavendiſh.
R. Jackſon, Eſq. E. James Elliott, Eſq.	} Lords of the treaſury, *vice* Lord Althorpe and Frederick Montagu, Eſq.
Hon. J. Jeffries Pratt John Aubrey, Eſq.	} Lords of the Admiralty, *vice* Lord Duncannon and Hon. J. Townſend.
Colonel Barré	— Paymaſter of the forces, *vice* Edmund Burke, Eſq.

Henry

ment of Lord Shelburne's adminiſtration, which took place on the 13th of July 1782, Lord Temple (now the Marquis of Buckingham) was fixed upon to

Henry Dundas, Eſq. lord advocate	To be treaſurer of the navy, *vice* Colonel Barrè
Sir George Yonge, Bart.	— Secretary at war, *vice* T. Townſhend, Eſq.
Earl Temple	— Lord Lieutenant of Ireland, *vice* the Duke of Portland
Hon. William Wyndham Grenville	Secretary to ditto, *vice* Colonel Fitzpatrick

The following acconnt of this change of adminiſtration, from the Annual Regiſter for the year, is attributed to a principal member of the late adminiſtration (Mr. Burke). The ſhort ſpace of time that intervened between the death of the Marquis of Rockingham and the prorogation of parliament afforded no opportunity of diſcovering in what manner the Houſe of Commons ſtood affected towards the changes, that had taken place in the adminiſtration of public affairs, in conſequence of the former event. The weight of the new miniſter in that aſſembly, either from political connection, from private friendſhips, or public favor, was known to be very inconſiderable; and the ſupport which he might otherwiſe have derived from the power of the crown was likely to be much reduced by the operation of the bill of reform, and by the ſteady attachment of moſt of thoſe members, who either owed their ſeats to the influence of government, or were led by a ſort of principle to give a general ſupport to adminiſtration, under the auſpices of a noble lord, one of his predeceſſors in office. The receſs of parliament was therefore conſidered as a circumſtance highly favorable to the miniſter, and was doubtleſs employed in endeavoring to form ſuch alliances amongſt the parties out of power as might enſure ſome degree of ſtrength and permanence to his adminiſtration.

A reunion of the Whigs was the favorite expectation of the public, and anxiouſly looked for by thoſe, who equally dreaded the revival of the old ſyſtem, and the miſchiefs of a weak and unſettled government. It does not however appear, that any advances were made towards effecting ſuch an accommodation; to which there appear indeed to have been inſuperable difficulties, from the induſtry, with which the friends of each party laboured to throw the blame both of the ſchiſm and failure on the other.

On the part of thoſe, who had retired from the ſervice of government, it was urged, that as the appointment of the noble earl to the higheſt office in adminiſtration was one of the principal cauſes of the diviſion that enſued, ſo it continued to be the chief obſtacle to a reunion. It was indeed abſurd to expect, that his complaiſance to his enemies ſhould carry him ſo far as to enter into a treaty, of which he was himſelf to be the firſt ſacrifice; and it was not more reaſonable, they ſaid to ſuppoſe, that thoſe who continued to act with him, how much ſoever they might diſapprove of his principles, or cenſure the meaſures he was carrying on, (a conduct which ſome of them did not ſcruple to purſue) would be willing to deſcend from ſituations, in which, by the removal of their former friends, they ſtood as principals, in order to act ſubordinate parts again in conjunction with them.

Theſe inſinuations were combated, on the other ſide, by ſtudiouſly repreſenting the cauſe of diſſenſion to have been a mere perſonal conteſt for power; and by charging their opponents with holding

to ſucceed the Duke of Portland in the viceregency of Ireland. Every poſſible diſpatch was therefore given to the parliamentary buſineſs in Ire-

holding opinions of a dangerous nature, trenching on the moſt undoubted prerogative of the crown, that of chuſing its own miniſters, and conſequently having a direct tendency to ſubvert the conſtitution.

But whatever weight may be allowed to theſe charges or ſurmiſes, it was generally agreed, that, though the parties themſelves had been ever ſo well diſpoſed towards an accommodation, yet the countenance and approbation of the court would hardly have been lent to a meaſure ſo diametrically oppoſite in its principles to that favorite ſyſtem of politics, which had the diſunion of all party connections for its baſis. In oppoſition to this ſyſtem, after a long and an arduous ſtruggle, by no mean exertion of abilities, and by the concurrence of many important events, the late adminiſtration had arrived at a kind of adverſe poſſeſſion of power, which being ſubmitted to from neceſſity, it could not be expected would be ſuffered to remain, whenever the means of deſtroying it could be found. Theſe, by an unfortunate event, ſoon after offered themſelves. The appointment of the Earl of Shelburne to ſucceed the Marquis of Rockingham, it was eaſily foreſeen, would diſguſt thoſe individuals of the party, whoſe principles were the moſt inflexible and obnoxious; and the probability of gaining over many others, who might wiſh to make themſelves ſome amends for the long proſcription they had undergone, by the advantages of a more accommodating line of conduct, was reckoned on with a confidence that proved not ill-founded. Add to this, that the firmneſs of the party had hitherto ſtood the trial of defeats and mortifications only; that power and emolument will ſometimes be retained on terms and by means, through which they would not have been ſought; and laſtly, that many of the members, wearied and grown old in oppoſition would naturally feel diſinclined, from the diminution both of their vigour and proſpects, to embark in a freſh conteſt with the court.

The deſign appears to have been planned with great political ſagacity, and the ſucceſs went beyond even what the moſt ſanguine hopes could have expected. Not only a change of miniſters was effected, and a cabinet formed more agreeable to the views of the court; but ſeveral of thoſe, whoſe former conduct had been marked by extraordinary violence were gained over; and theſe, not ſatisfied to embrace their new principles with all the zeal and eagerneſs of converts, ſeemed to regard with an unuſual degree of malignity, that inflexibility of their old colleagues, which appeared no leſs than a tacit reproach to their own conduct. Thus a deciſive blow was given to the very exiſtence of the party, and which ſeemed even to preclude all future attempts to form a ſyſtematic oppoſition.

Such were the obſtacles, which, from every quarter, appear to have rendered a reunion of the whigs under the auſpices of the new miniſter, totally impracticable. A coalition with the noble lord, who had formerly been at the head of his majeſty's government, ſeemed more feaſible, and was certainly free from the moſt material objections that lay to the former meaſure. Overtures accordingly are ſaid to have been made by the miniſter, and various terms offered him: but whether from a confidence in his own ſtrength, and the hope of riſing again, on the diviſions of his adverſaries, to the poſſeſſion of undivided power; or from reſentment of former indignities; or from ſome change in his political ſentiments, and a conviction of the impoſſibility of ſerving the public with fidelity on the terms propoſed, the buſineſs fell to the ground.

poſſible

land, in order that the Duke of Portland might cloſe the ſeſſion, and as far as conveniently could be, adjuſt all the arrangements, then pending between the two kingdoms, reſpecting the legiſlative independence and commercial freedom of that kingdom. Lord Shelburne had been fully as explicit, open and liberal in his ſpeech to the lords, with reference to Ireland, as Mr. Fox, in his ſpeech to the commons. It was therefore generally at firſt preſumed, that the change in the Britiſh adminiſtration would cauſe no alteration in the ſyſtem of conceſſion to Ireland.

Amongſt the ſeveral acts, which received the royal aſſent under the Duke of Portland's adminiſtration, was Mr. Eden's act for eſtabliſhing the national bank. This met with ſome oppoſition, but the meaſure was carried, and the bank opened the year following. By this act (21 and 22 Geo. III. c. 16) the bank was eſtabliſhed by the name of The governor and company of the bank of Ireland. The ſubſcribers to it were to pay in 600,000*l.* either in caſh or debentures, at 4 per cent. which were to be taken at par, and conſidered as money. This ſum was to be the capital ſtock of the bank, and the debentures to that amount, when received, were to be cancelled by the vice treaſurers. For theſe an annuity of 24,000*l.* was to be paid to the company, being equal to the intereſt payable upon theſe debentures; the ſtock was to be redeemable at any time, upon twelve months notice, after the 1ſt of January, 1794. Ireland obtained likewiſe an important acquiſition by a bill, "for better ſecuring the liberty of the ſubject," otherwiſe called the *Habeas Corpus* act, ſimilar to that formerly paſſed in England.

The ſacramental teſt, by which the diſſenting Proteſtants were excluded from offices of truſt under the crown was alſo repealed, and the nation was gratified by the repeal of the perpetual mutiny bill, and by that long deſired act for making the commiſſion of the judges of that kingdom, to continue *quamdiu ſe benè geſſerint.* An act was alſo paſſed to render the manner of conforming from the Popiſh to the Proteſtant religion more eaſy and expeditious. Another for ſparing to his majeſty, to be drawn out of this kingdom, whenever he ſhould think fit, a force not exceeding 5000 men (part of the troops appointed to be kept therein for its defence.)

On the 27th of July, 1782, his excellency the lord lieutenant concluded the ſeſſion with the following ſpeech from the throne:

"My

"My Lords and Gentlemen,

"THE great and conſtitutional advantages you have "ſecured to your country, and the wiſe and magnanimous conduct of Great "Britain, in contributing to the ſucceſs of your ſteady and temperate "exertions, on the cloſe of a ſeſſion, muſt ever reflect the higheſt honor "on the national characters of both kingdoms.

"It muſt be a moſt pleaſing conſideration to you, to recollect, that in "the advances you have made towards the ſettlement of your conſtitution "no acts of violence or impatience have marked their progreſs. A religious "adherence to the laws confined your endeavours within the ſtricteſt bounds "of loyalty and good order; your claims were directed by the ſame ſpirit, "that gave riſe and ſtability to the liberty of Great Britain, and could not "fail of ſucceſs, as ſoon as the councils of that kingdom were influenced "by the avowed friends of the conſtitution.

"Such a ſpirit of conſtitutional liberty communicating itſelf from one "kingdom to another, muſt naturally produce that reciprocal confidence "and mutual affection, of which we already begin to feel the moſt ſalutary "effects. A grateful zeal and generous ardour have united this whole "kingdom in the moſt cordial and vigorous exertions, which promiſe effec-"tually to fruſtrate the deſigns of our common enemy, and to re-eſtabliſh "and ſecure the glory of the whole empire."

"Gentlemen of the House of Commons,

"WHEN I conſider the very active and liberal part you "have taken in contributing to theſe great and glorious events, I muſt as "diſtinctly expreſs to you his majeſty's ſenſe of the laſt effuſion of your "generoſity for the defence of the empire, as I muſt return you his moſt "gracious thanks for the ſupplies, which you ſo chearfully voted at the "beginning of this ſeſſion. His majeſty's royal example not only ſecures "to you a moſt juſt and œconomical application of the aids you have "granted him, but affords you a moſt ſolemn pledge of attentive inveſtiga-"tion into every means, which the circumſtances of this country will "afford to alleviate the burdens of his loyal and grateful people. To co-"operate with you in carrying into effect this moſt benevolent diſpoſition "of his majeſty, will afford me the higheſt gratification, and manifeſt "to you the ſentiments I ſhall ever entertain, in return for the confidence "you have repoſed in the ſincerity of my profeſſions for your welfare."

"My

" My Lords and Gentlemen,

" In contemplating the ſervices, which your unremitting " aſſiduity has rendered to the public, I muſt indulge myſelf in the ſatisfac- " tion of ſpecifying ſome very important acts, which will moſt materially " ſtrengthen the great conſtitutional reform you have completed, and which " will for ever diſtinguiſh the period of this memorable ſeſſion. You have " provided for the impartial and unbiaſſed adminiſtration of juſtice, by the " act for ſecuring the independency of judges. You have adopted one of the " moſt effectual ſecurities of Britiſh freedom, by limiting the mutiny act in " point of duration; you have ſecured that moſt invaluable of all human " bleſſings, the perſonal liberty of the ſubject, by paſſing the Habeas Corpus " Act; you have cheriſhed and enlarged the wiſe principles of toleration, and " made conſiderable advances in aboliſhing thoſe diſtinctions, which have too " long impeded the progreſs of induſtry, and divided the nation. The diligence " and ardour, with which you have perſevered in the accompliſhment of theſe " great objects, muſt ever bear the moſt honorable teſtimony of your zeal " and induſtry in the ſervice of your country, and manifeſt your knowledge " of its true intereſts.

" Many and great national objects muſt preſent themſelves to your conſi- " derations during the receſs from parliamentary buſineſs; but what I would " moſt earneſtly preſs upon you as that, on which your domeſtic peace and " happineſs, and the proſperity of the empire at this moment moſt immedi- " ately depend, is to cultivate and diffuſe thoſe ſentiments of affection and " confidence, which are now happily reſtored between the two kingdoms. " Convince the people in your ſeveral diſtricts, as you are yourſelves con- " vinced, that every cauſe of paſt jealouſies and diſcontents is finally removed; " that both countries have pledged their good faith to each other, and that " their beſt ſecurity will be an inviolable adherence to that compact; that " the implicit reliance, which Great Britain has repoſed on the honor, gene- " roſity, and candour of Ireland, engages your national character to a return " of ſentiments equally liberal and enlarged: convince them, that the two " kingdoms are now one, indiſſolubly connected in unity of conſtitution and " unity of intereſts; that the danger and ſecurity, the proſperity and cala- " mity of the one, muſt equally affect the other; that they ſtand or fall " together."

The parliament was then prorogued to the 24th of September following.

The parliament of Great Britain, in compliance with the propoſals and demands of Ireland, by the 22d of Geo. III. c. 53. ſimply repealed the 6th of Geo. I. and the ſeveral matters and things therein contained. The armed bodies of the volunteers had now too long been enured to arms, as well as to the agitation of political ſubjects, not to partake of the ſpirit of enthuſiaſm, with which the queſtions of ſimple repeal and renunciation were contended for in parliament: frequent appeals to the volunteers were made by perſons in parliament; and the volunteers aſſumed a conſequence little ſhort of legiſlative control. Several provincial meetings were called to take into conſideration addreſſes ſuitable to the occaſion. On the 17th of June, 1782, the national committee met prior to the meetings of the provinces. The avowed intent of their meeting was to canvas the proceedings of their repreſentatives in parliament. A ſpirit of diſſent had created diſcontent; and the immediate object of their conſideration was, whether there exiſted or not juſt cauſe of complaint. At their firſt meeting nothing was agreed upon: at their next meeting the following reſolution was unanimouſly carried.

VOLUNTEER NATIONAL COMMITTEE.

" At a meeting of the Volunteer Committee, at Dublin, on Tueſday the " 18th of June, 1782,

" The Right Honorable Lord KINGSBOROUGH in the chair,

" Reſolved unanimouſly, That the addreſſes of the Iriſh parliament having diſclaimed any power or authority of any ſort whatſoever, in the parliament of Great Britain over this realm, we ſhall conſider a repeal of the 6th of George I. by the Britiſh parliament, made in purſuance of the ſaid addreſſes, a complete renunciation of all the claims contained in the ſaid ſtatute, and as ſuch, we will accept it, and deem it ſatisfactory.

(Signed) " Mervyn Archdall, Francis Dobbs, Joſeph Pollock, for " Ulſter.

" Lewis Francis Irwin, Charles O'Hara, John Geoghegan, " for Connaught.

" Richard Talbot, William Burton, John Parnell, R. Nevill, " for Leinſter.

" Kingſborough, R. Sh. Carew, W. T. Monſel, Samuel Ja- " cob, A. Blennedpaſſet, William Godfrey, George Stack- " poole, for Munſter."

The

The great object of the national committee was, if poſſible, to preſerve unanimity: moſt of the members were to attend their reſpective provincial meetings, and it was thought, that the only chance of unanimity was, to fix on one point, that they would ſupport, and recommend in their particular provinces. On the ſame day Leinſter met, and agreed with the national committee, as appears by their addreſſes to his majeſty and his viceroy. On the 21ſt of June, Ulſter met, and gave fatal proofs of the malicious induſtry, with which diſcontent had been propagated. Falſehoods of the moſt glaring nature had filled many of the papers, and miſrepreſentations diſgraced the freedom of the preſs. Engliſh perfidy was inculcated, and the inſufficiency of what had been obtained, aſſerted. Without any change whatſoever on the part of Great Britain, a number of men, who were even ready, a few days before, to croſs the channel, to the aid of England, became unhappy and diſcontented, and the evening preceding the 21ſt of June wore a very melancholy aſpect.

It fell to the lot of Major Dobbs to open the buſineſs. However, he explained his reaſons for being fully ſatisfied, and moved the following addreſs to his majeſty.

ULSTER VOLUNTEERS, IRELAND.

Dungannon, June 21ſt, 1782.

" Colonel WILLIAM IRVINE in the chair.

" At a meeting of three hundred and ſix companies of this province, purſuant to public notice, the following addreſs was unanimouſly agreed upon, and ordered to be preſented to his majeſty by the chairman, Major Francis Dobbs, Captain James Dawſon, Captain Francis Evans, and Colonel Thomas Morris Jones.

" To the king's moſt excellent majeſty. The humble addreſs of the volunteers of Ulſter.

" MOST GRACIOUS SOVEREIGN,

" With the moſt unfeigned attachment to your majeſty's perſon and family, we approach your throne. You are our true and lawful ſovereign; and we truſt that every act of ours will evince, that we are your faithful and loyal ſubjects.

" The addreſſes of the Iriſh parliament having diſclaimed any power or authority, of any ſort whatſoever, in the parliament of Great Britain over

" this realm, we ſhall conſider an unqualified and unconditional repeal of the " ſtatute of the 6th of George I. by the Britiſh parliament, made in pur- " ſuance of the ſaid addreſſes, a complete renunciation of a principle hoſtile " to the rights of Ireland, and of all the claims contained in the ſaid ſtatute; " and as ſuch we will accept it, and deem it ſatisfactory. Thus united by " the ſacred bond of freedom, we requeſt our gracious ſovereign to aſſure " our ſiſter kingdom, that we will be ſharers in her fate, ſtanding or falling " with the Britiſh empire.

" We humbly beg leave to expreſs our gratitude for the appointment of " his Grace the Duke of Portland to the government of Ireland. Prevented " by ſituation from enjoying the preſence of our benevolent ſovereign, we " rejoice in a viceroy, whoſe character aſſures us, that he will faithfully diſ- " charge the duties of his ſtation.

" The œconomy and retrenchment which your majeſty has been graciouſly " pleaſed both to recommend and practiſe, will, we humbly hope, be ex- " tended to Ireland. Should a more equal repreſentation of the people be " alſo adopted, our proſperity would be for ever ſecured, and your majeſty's " reign moſt honorably diſtinguiſhed in the annals of mankind.

" We rejoice in the great and ſignal ſucceſs of your majeſty's arms: every " enemy muſt yield to the efforts of a great, a brave, a free, and an united " people. Your majeſty's choice of thoſe, whom you have entruſted with " the adminiſtration of public affairs, gives us the moſt heartfelt ſatisfaction; " public confidence is revived; and we doubt not but your majeſty's crown " and empire will ſpeedily be raiſed to the higheſt pinnacle of human glory.

" We have ever beheld with admiration your majeſty's domeſtic virtues. " May your majeſty, and the truly great and amiable partner of your throne, " long, long live to bleſs each other; may the offſpring of your happy union " reward your parental fondneſs, by a diſplay of every grace and every vir- " tue; and when, at length, the immutable law of nature ſhall demand " that tribute, which even kings muſt pay, may your mourning ſubjects " with one voice lament, that the great, the benevolent father of his people " is no more.

" WILLIAM IRVINE, Chairman.

" JAMES DAWSON, Secretary."

It paſſed unanimouſly, and with a loud tribute of applauſe.

Captain Pollock then moved an addreſs to the Duke of Portland, which was

was carried unanimouſly; as was alſo an addreſs to Lord Charlemont, appointing him general of the volunteers of Ulſter, moved by Lieutenant Colonel Alexander Stewart, and an addreſs to Mr. Grattan, expreſſing the higheſt ſatisfaction at the vote of 50,000*l.* moved by Captain Pollock. A reſolution moved by Colonel Knox, for aſſiſting in raiſing the 20,000 ſeamen, and a reſolution for erecting a monument at Dungannon, in which Lord Charlemont and Mr. Grattan were to be particularly diſtinguiſhed, moved by the Rev. Mr. Crawford, were alſo carried unanimouſly.

The province of Connaught likewiſe expreſſed its ſatisfaction, in addreſſes to his majeſty and the lord lieutenant, as appears by thoſe addreſſes: Munſter met, but did nothing.

The gentlemen, who were appointed to preſent the addreſs to his majeſty, immediately ſailed for England: Lord Shelburne treated them with the greateſt politeneſs; and his majeſty was pleaſed moſt graciouſly to receive their addreſs, and every mark of attention was paid through them to the volunteers of Ulſter. But ſcarcely had their addreſſes been preſented, when the packets from Ireland announced the diſſatisfaction of two corps in the town of Belfaſt, which had been repreſented at Dungannon; they, who were executing their commiſſion, were vilified and traduced in the news-paper; and Mr. Grattan, who had been addreſſed from every quarter, as the ſaviour of his country, who had been voted a ſtatue by a full meeting of the lawyers of Ireland particularly convened, and 50,000*l.* by the Houſe of Commons of Ireland, had become the object of the moſt illiberal abuſe.

The Belfaſt review was approaching; thoſe who were diſſatisfied determined there to make their ſtand: and it had been for the two preceding years diſtinguiſhed as the greateſt in Ireland, and therefore its deciſion muſt carry conſiderable weight. The 1ſt Belfaſt company had taken the lead, and was indefatigable in the purſuit of its object, that diſſatisfaction ſhould be expreſſed at Belfaſt: this company ſent a very ſtrong addreſs* to the corps who were to aſſemble at the review; which was ably drawn up, and very fully expreſſed the grounds and particulars of their diſſatisfaction. Major Dobbs alſo addreſſed the ſame corps on the oppoſite ſide of the queſtion by way of reply to their addreſs.

* Both theſe addreſſes are expreſſive of the different opinions circulated abroad upon the queſtion, and are to be ſeen, Append. No. LXIX.

The

The 31ſt of July diſplayed a truly glorious exhibition. A volunteer encampment of near three thouſand men, and the volunteer garriſon of upwards of one thouſand, all completely clothed, armed, and accoutred. Their military knowledge and appearance ſtruck the veteran with wonder.

Anonymous papers in thouſands were diſperſed through the camp and garriſon. Every private was taught, that he was competent to legiſlate, and conſequently to expreſs his ſentiments on the moſt ſpeculative points. Declaration, renunciation, ſimple repeal, legal ſecurity, better ſecurity, and bill of rights, were all before them, and they were to inſtruct their delegates on theſe important points. The delegates aſſembled on the 3d of Auguſt, and Colonel Stewart (member for the county of Down) was unanimouſly called to the chair; and Major Dobbs, as exerciſing officer, moved an addreſs to the Reviewing General, Lord Charlemont, in which he inſerted a clauſe of their being fully ſatisfied. A debate commenced whether it ſhould not be expunged; at the end of eleven hours a diviſion took place, when there appeared for expunging 31, againſt it 29.

The addreſs thus altered, paſſed unanimouſly.

Thus by the efforts and exertions of a wiſe and liberal adminiſtration were the liberties of Ireland reſtored; peace, unity, and content diffuſed through a revived nation, and the proſperity and glory of the Britiſh empire increaſed by adding ſtrength, vigor, and felicity to that important part of it.

END OF THE FIRST VOLUME.

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APPENDIX.

No. I.

The Bull of ADRIAN IV. *by which he granted Ireland to* HENRY II.

(HISTORICAL REVIEW, &c. P. 26.)

ADRIAN the biſhop, the ſervant of the ſervants of God, to his moſt dear ſon in Chriſt, the noble king of England, ſendeth greeting and apoſtolick benediction. Your magnificence hath been very careful and ſtudious how you might enlarge the church of God here in earth, and encreaſe the number of ſaints and elect in heaven, in that as a good Catholick king, you have and do by all means labour and travel to enlarge and increaſe God's church, by teaching the ignorant people the true and Chriſtian religion, and in aboliſhing and rooting up the weeds of ſin and wickedneſs. And wherein you have, and do crave, for your better furtherance, the help of the apoſtolic ſee (wherein more ſpeedily and diſcreetly you proceed) the better ſucceſs, we hope, God will ſend; for all they, which of a fervent zeal and love in religion, do begin and enterprize any ſuch thing, ſhall no doubt in the end, have a good and proſperous ſucceſs. And as for Ireland, and all other iſlands, where Chriſt is known and the Chriſtian religion received, it is out of all doubt, and your excellency well knoweth, they do all appertain and belong to the right of St. Peter, and of the church of Rome; and we are ſo much the more ready, deſirous, and willing, to ſow the acceptable ſeed of God's word, becauſe we know the ſame in the latter day will be moſt ſeverely required at your hands. You have (our well beloved ſon in Chriſt) advertiſed and ſignifyed unto us, that you will enter into the land and realm of Ireland, to the end to bring them to obedience unto law, and under your ſubjection, and to root out from among them their foul ſins and wickedneſs;

as alſo to yield and pay yearly out of every houſe, a yearly penſion of one penny to St. Peter, and beſides alſo will defend and keep the rites of thoſe churches whole and inviolate. We therefore, well allowing and favouring this your godly diſpoſition and commendable affection, do accept, ratifie, and aſſent, unto this your petition, and do grant that you (for the dilating of God's church, the puniſhment of ſin, the reforming of manners, the planting of virtue, and the encreaſing of Chriſtian religion) do enter to poſſeſs that land, and there to execute according to your wiſdom, whatſoever ſhall be for the honour of God, and the ſafety of the realm. And further alſo we do ſtrictly charge and require, that all the people of that land do with all humbleneſs, dutifulneſs, and honour, receive and accept you as their liege lord and ſovereign, reſerving and excepting the right of Holy Church to be inviolably preſerved, as alſo the yearly penſion of Peter pence out of every houſe, which we require to be truly anſwered to St. Peter and to the church of Rome. If therefore you do mind to bring your godly purpoſe to effect, endeavour to travail to reform the people to ſome better order and trade of life, and that alſo by yourſelf and by ſuch others as you ſhall think meet, true and honeſt in their life, manners, and converſation, to the end the church of God may be beautified, the true Chriſtian religion ſowed and planted, and all other things done, that by any means ſhall or may be, to God's honour and ſalvation of men's ſouls, whereby you may in the end receive of God's hands the reward of everlaſting life, and alſo in the mean time, and in this life carry a glorious fame and an honourable report among all nations.

The Confirmation of the former Grant by ALEXANDER III.

ALEXANDER the biſhop, the ſervant of the ſervants of God, to his dearly beloved ſon, the noble king of England, greeting, grace and apoſtolic benediction. Foraſmuch as things given and granted upon good reaſon, by our predeceſſors, are to be well allowed of, ratified and confirmed, we well conſidering and pondering the grant and privilege for, and concerning the dominion of the land of Ireland to us appertaining, and lately given by Adrian our predeceſſor, we following his ſteps, do in like manner confirm, ratifie, and allow the ſame; reſerving and ſaving to St. Peter, and to the church of Rome, the yearly penſion of one penny out of every houſe,

houſe, as well in England as in Ireland. Provided alſo, that the barbarous people of Ireland, by your means, be reformed and recovered from their filthy life and abominable converſation; that as in name, ſo in life and manners they may be Chriſtians, and that as that rude and diſordered church, being by you reformed, the whole nation may alſo with the poſſeſſion of the name be in acts and deeds followers of the ſame.

No. II.

The Treaty or Articles of Windſor. Page 31.

HIC eſt finis et concordia quæ facta fuit apud Windeſore, in Octabis Sancti Michaelis anno Gratiæ 1177, inter Dominum Regem Angliæ Henricum Secundum, et Rodericum Regem Conaciæ per Catholicum Tuamenſem Archiepiſcopum et Abbatem C. Sancti Brandani, et Magiſtrum Laurentium cancellarium Regis Conaciæ.

1mo. Quod Rex Angliæ concedit prædicto Roderico, ligeo homini ſuo Regnum Conaciæ, quamdiu ei fideliter ſerviet, ut ſit Rex ſub eo, paratus ad ſervitium ſuum, ſicut homo ſuus; et ut teneat terram ſuam, ita bene, et in pace ſicut tenuit antequam Dominus Rex Angliæ intravit Hiberniam, reddendo ei tributum: et totam illam terram et habitatores terræ habeat ſub ſe; et juſtitiæ ut tributum Regi Angliæ integre perſolvant, et per manum ejus ſua jura ſibi conſervent, et illi qui modo tenent, teneant in pace, quamdiu manſerint in fidelitate Regis Angliæ; et fideliter et integre perſolverint tributum et alia jura ſua, quæ ei debent per manum Regis Conaciæ; ſalvo in omnibus jure et honore Domini Regis Angliæ et ſuo.

2do. Et ſiqui ex eis Regi Angliæ, et ei rebelles fuerint, et tributum et alia jura Regis Angliæ, per manum ejus ſolvere noluerint, et a fidelitate Regis Angliæ receſſerint, ipſe eos juſtitiet et amoveat, et ſi eos per ſe injuſtiare non poterit, Conſtabularius Regis Angliæ et familia ſua de terrâ illâ juvabunt eum ad hoc faciendum, cum ab ipſo fuerint requiſiti, et ipſi viderint quod neceſſe fuerit, et propter hunc finem reddet prædictus Rex Conaciæ Domini Regi Angliæ tributum ſingulis annis, ſcilicet, de ſingulis decem animalibus unum corium placabile mercatoribus, tam de totâ terrâ ſuâ, quam de alienâ.

3o. Exceptò, quod de terris illis, quas Dominus Rex Angliæ retinuit in

dominio ſuo, et in dominio Baronum ſuorum, nihil ſe intromittet; ſcilicet Durelina cum pertinentiis ſuis, ſicut unquam Murchait, Wamai, Lethlachlin eam melius et plenius tenuit, aut aliqui qui eam de eo tenuerint. Et exceptâ Wexfordiâ, cum omnibus pertinentiis ſuis; ſcilicet, cum totâ Lageniâ, et exceptâ Waterfordiâ uſque ad Dungarvan, ita ut Dungarvan ſit, cum omnibus pertinentiis ſuis infra terram illam.

4to. Et ſi Hibernenſis illi qui aufugerint, redire voluerint ad terram Baronum Regis Angliæ, redeant in pace, reddendo tributum prædictum quod alii reddunt, vel faciendo antiqua ſervitia, qua facere ſolebant pro terris ſuis; et hoc ſit in arbitrio Dominorum ſuorum; et ſi aliqui eorum redire noluerint Domini eorum et Rex Conaciæ accipiat obſides, omnibus quos ei commiſit Dominus rex Angliæ, ad voluntatem Domini Regis et ſuam, et ipſe dabit obſides ad voluntatem Domini Regis Angliæ illos vel alios; et ipſi ſervient Domino de canibus et avibus ſuis ſingulis annis de pertinentiis ſuis, et nullum omnino de quâcumque terrâ Regis ſit, retinebunt contra voluntatem Domini Regis. His teſtibus Richardo Epiſcopo Wintoniæ, Gaufrido Epiſcopo Elienſi, Laurentio Duvelienſi Archiepiſcopo, Gaufrido, Nicholao et Rogero Capellanis Regis, Gulielmo Comite Eſſexii, et aliis multis, etc.

No. III.

Extracts from the Iriſh Remonſtrance to Pope JOHN XXII. *P. 44.*

IT is extremely painful to us, that the viperous detractions of ſlanderous Engliſhmen, and their iniquitous ſuggeſtions againſt the defenders of our rights, ſhould exaſperate your holineſs againſt the Iriſh nation. But alas, you know us only by the miſrepreſentation of our enemies, and you are expoſed to the danger of adopting the infamous falſehoods, which they propagate, without hearing any thing of the deteſtable cruelties, they have committed againſt our anceſtors, and continue to commit even to this day againſt ourſelves. Heaven forbid, that your holineſs ſhould be thus miſguided; and it is to protect our unfortunate people from ſuch a calamity, that we have reſolved here to give you a faithful account of the preſent ſtate of our kingdom, if indeed a kingdom we can call the melancholy remains of a nation, that ſo long groans under the tyranny of the kings of England, and

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of their barons; ſome of whom, though born among us, continue to practiſe the ſame rapine and cruelties againſt us, which their anceſtors did againſt ours heretofore. We ſhall ſpeak nothing but the truth, and we hope, that your holineſs will not delay to inflict condign puniſhment on the authors and abettors of ſuch inhuman calamities.

Know then, that our forefathers came from Spain, and our chief apoſtle St. Patrick, ſent by your predeceſſor, Pope Celeſtine, in the year of our Lord 435, did by the inſpiration of the Holy Ghoſt, moſt effectually teach us the truth of the Holy Roman Catholic faith, and that ever ſince that, our kings well inſtructed in the faith, that was preached to them, have, in number ſixty-one, without any mixture of foreign blood, reigned in Ireland to the year 1170. And thoſe kings were not Engliſhmen, nor of any other nation but our own, who with pious liberality beſtowed ample endowments in lands, and many immunities on the Iriſh church, though in modern times our churches are moſt barbarouſly plundered by the Engliſh, by whom they are almoſt deſpoiled. And though thoſe our kings, ſo long and ſo ſtrenuouſly defended, againſt the tyrants and kings of different regions the inheritance given them by God, preſerving their innate liberty at all times inviolate; yet, Adrian IV. your predeceſſor, an Engliſhman, more even by affection and prejudice, than by birth, blinded by that affection and the falſe ſuggeſtions of Henry II. King of England, under whom, and perhaps by whom, St. Thomas of Canterbury was murdered, gave the dominion of this our kingdom by a certain form of words to that ſame Henry II. whom he ought rather to have ſtript of his own on account of the above crime.

Thus, omitting all legal and judicial order, and alas! his national prejudices and predilections blindfolding the diſcernment of the pontiff, without our being guilty of any crime, without any rational cauſe whatſoever, he gave us up to be mangled to pieces by the teeth of the moſt cruel and voracious of all monſters. And if ſometimes nearly flayed alive, we eſcape from the deadly bite of theſe treacherous and greedy wolves, it is but to deſcend into the miſerable abyſſes of ſlavery, and to drag on the doleful remains of a life more terrible than death itſelf. Ever ſince thoſe Engliſh appeared firſt upon our coaſts in virtue of the above ſurreptitious donation, they entered our territories under a certain ſpecious pretext of piety and external hypocritical ſhew of religion; endeavouring in the mean time, by every artifice malice could ſuggeſt, to extirpate us root and branch, and without

out any other right, than that of the ſtrongeſt, they have ſo far ſucceeded by baſe and fraudulent cunning, that they have forced us to quit our fair and ample habitations and paternal inheritances, and to take refuge, like wild beaſts, in the mountains, the woods, and the moraſſes of the country; nor can even the caverns and dens protect us againſt their inſatiable avarice. They purſue us even into theſe frightful abodes, endeavouring to diſpoſſeſs us of the wild uncultivated rocks, and arrogating to themſelves the property of every place, on which we can ſtamp the figure of our feet; and through an exceſs of the moſt profound ignorance, impudence, arrogance, or blind inſanity ſcarce conceivable, they dare to aſſert, that not a ſingle part of Ireland is ours, but by right entirely their own.

Hence the implacable animoſities and exterminating carnage, which are perpetually carried on between us; hence our continual hoſtilities, our deteſtable treacheries, our bloody repriſals, our numberleſs maſſacres, in which ſince their invaſion to this day, more than 50,000 men have periſhed on both ſides: not to ſpeak of thoſe, who died by famine, deſpair, the rigors of captivity, nightly marauding, and a thouſand other diſorders, which it is impoſſible to remedy, on account of the anarchy in which we live; an anarchy, which alas! is tremendous not only to the ſtate, but alſo to the church of Ireland; the miniſters of which are daily expoſed, not only to the loſs of the frail and tranſitory things of this world, but alſo to the loſs of thoſe ſolid and ſubſtantial bleſſings, which are eternal and immutable.

Let thoſe few particulars concerning our origin, and the deplorable ſtate, to which we have been reduced by the above donation of Adrian IV. ſuffice for the preſent.

We have now to inform your holineſs, that Henry, king of England, and the four kings his ſucceſſors, have violated the conditions of the pontifical bull, by which they were impowered to invade this kingdom; for the ſaid Henry promiſed, as appears by the ſaid bull, to extend the patrimony of the Iriſh church, and to pay to the apoſtolical ſee, annually one penny for each houſe; now this promiſe both he and his ſucceſſors above mentioned, and their iniquitous miniſters, obſerved not at all with regard to Ireland. On the contrary, they have entirely and intentionally eluded them and endeavoured to force the reverſe.

As to the church lands, ſo far from extending them, they have confined them, retrenched them, and invaded them on all ſides, inſomuch that ſome cathedral

cathedral churches have been by open force, notoriouſly plundered of half their poſſeſſions: nor have the perſons of our clergy been more reſpected; for in every part of the country, we find biſhops and prelates cited, arreſted, and impriſoned without diſtinction, and they are oppreſſed with ſuch ſervile fear by thoſe frequent and unparalleled injuries, that they have not even the courage to repreſent to your holineſs the ſufferings they are ſo wantonly condemned to undergo. But ſince they are ſo cowardly and ſo baſely ſilent in their own cauſe, they deſerve not that we ſhould ſay a ſyllable in their favor. The Engliſh promiſed alſo to introduce a better code of laws and enforce better morals among the Iriſh people; but inſtead of this they have ſo corrupted our morals, that the holy and dove-like ſimplicity of our nation is, on account of the flagitious example of thoſe reprobates, changed into the malicious cunning of the ſerpent.

We had a written code of laws, according to which our nation was governed hitherto; they have deprived us of thoſe laws, and of every law except one, which it is impoſſible to wreſt from us; and for the purpoſe of exterminating us they have eſtabliſhed other iniquitous laws, by which injuſtice and inhumanity are combined for our deſtruction. Some of which we here inſert for your inſpection, as being ſo many fundamental rules of Engliſh juriſprudence eſtabliſhed in this kingdom.

Every man not an Iriſhman, can on any charge however frivolous, proſecute an Iriſhman; but no Iriſhman whether lay or eccleſiaſtic (the prelates alone excepted) can proſecute for any offence whatſoever, becauſe he is an Iriſhman. If any Engliſhman ſhould, as they often do, treacherouſly and perfidiouſly murder an Iriſhman, be he ever ſo noble or ſo innocent, whether lay or eccleſiaſtic, ſecular or regular, even though he ſhould be a prelate, no ſatisfaction can be obtained from an Engliſh court of juſtice; on the contrary the more worthy the murthered man was, and the more reſpected by his own countrymen, the more the murderer is rewarded and honoured; not only by the Engliſh rabble, but even by the Engliſh clergy and biſhops; and eſpecially by thoſe, whoſe duty it is chiefly, on account of their ſtation in life, to correct ſuch abominable malefactors. Every Iriſh woman, whether noble or ignoble, who marries an Engliſhman, is after her huſband's death deprived of the third of her huſband's lands and poſſeſſions, on account of her being an Iriſh woman. In like manner, whenever the Engliſh can violently oppreſs to death an Iriſhman, they will by no means permit him to make a will

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or any diſpoſal whatſoever of his affairs: on the contrary, they ſeize violently on all his property, deprive the church of its rights, and per force reduce to a ſervile condition that blood, which has been from all antiquity free.

The ſame tribunal of the Engliſh, by advice of the King of England, and ſome Engliſh biſhops, among whom the ignorant and ill-conducted Archbiſhop of Armagh was preſident, has made in the city of St. Kenniers (Kilkenny) the following abſurd and informal ſtatute: that no religious community in the Engliſh Pale, ſhall receive an Iriſhman as novice, under pain of being treated as contumacious contemners of the King of England's laws. —And as well before as after this law was enacted, it was ſcrupulouſly obſerved by the Engliſh Dominicans, Franciſcans, monks, canons, and all other religious orders of the Engliſh nation, who ſhewed a partiality in the choice of their religious ſubjects; the more odious, in as much as thoſe monaſteries were founded by Iriſhmen, from which Iriſhmen are ſo baſely excluded by Engliſhmen in modern times. Beſides, where they ought to have eſtabliſhed virtue, they have done exactly the contrary; they have exterminated our native virtues, and eſtabliſhed the moſt abominable vices in their ſtead.

For the Engliſh, who inhabit our iſland, and call themſelves a middle nation (between Engliſh and Iriſh) are ſo different in their morals from the Engliſh of England, and of all other nations, that they can with the greateſt propriety, be ſtiled a nation not of middling, but of extreme perfidiouſneſs; for it is of old, that they follow the abominable and nefarious cuſtom, which is acquiring more inveteracy every day from habit, namely, when they invite a nobleman of our nation to dine with them, they, either in the midſt of the entertainment, or in the unguarded hour of ſleep, ſpill the blood of our unſuſpecting countrymen, terminate their deteſtable feaſt with murder, and ſell the heads of their gueſts to the enemy. Juſt as Peter Brumichehame, who is ſince called the treacherous baron, did with Mauritius de S—— his fellow ſponſor, and the ſaid Mauritius' brother, Calnacus, men much eſteemed for their talents and their honour among us; he invited them to an entertainment on a feaſt day of the Holy Trinity; on that day the inſtant they ſtood up from the table, he cruelly maſſacred them, with twenty-four of their followers, and ſold their heads at a dear price to their enemies; and when he was arraigned before the King of England, the preſent king's father, no juſtice could be obtained againſt ſuch a nefarious and treacherous offender.

offender. In like manner Lord Thomas Clare, the Duke of Glouceſter's brother, invited to his houſe the moſt illuſtrious Brien Roe O'Brien of Thomond his ſponſor. - - - - - - - - - - - - - -

All hope of peace between us is therefore completely deſtroyed; for ſuch is their pride, ſuch their exceſſive luſt of dominion, and ſuch our ardent ambition to ſhake off this inſupportable yoke, and recover the inheritance, which they have ſo unjuſtly uſurped; that, as there never was, ſo there never will be any ſincere coalition between them and us: nor is it poſſible there ſhould in this life, for we entertain a certain natural enmity againſt each other, flowing from mutual malignity deſcending by inheritance from father to ſon, and ſpreading from generation to generation.

Let no perſon wonder then, if we endeavour to preſerve our lives, and defend our liberties, as well as we can, againſt thoſe cruel tyrants, uſurpers of our juſt properties and murderers of our perſons; ſo far from thinking it unlawful, we hold it to be a meritorious act, nor can we be accuſed of perjury or rebellion, ſince neither our fathers or we, did at any time bind our ſelves by any oath of allegiance to their fathers or to them, and therefore without the leaſt remorſe of conſcience, while breath remains, we will attack them in defence of our juſt rights, and never lay down our arms until we force them to deſiſt. Beſides, we are fully ſatisfied to prove in a judicial manner, before twelve or more biſhops, the facts, which we have ſtated, and the grievances, which we have complained of. Not like the Engliſh, who in time of proſperity contemn all legal ordinances, and if they enjoyed proſperity at preſent, would not recur to Rome, as they do now, but would cruſh, with their overbearing and tyrannical haughtineſs, all the ſurrounding nations, deſpiſing every law human and divine.

Therefore, on account of all thoſe injuries, and a thouſand others, which human wit cannot eaſily comprehend, and on account of the kings of England, and their wicked miniſters, who, inſtead of governing us, as they are bound to do, with juſtice and moderation, have wickedly endeavoured to exterminate us off the face of the earth, and to ſhake off entirely their deteſtable yoke, and recover our native liberties, which we loſt by their means, we are forced to carry on an exterminating war; chuſing in defence of our lives and liberties, rather to riſe like men and expoſe our perſons bravely to all the dangers of war, than any longer to bear like women their atrocious and deteſtable injuries; and in order to obtain our intereſt the more ſpeedily and

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conſiſtently, we invite the gallant Edward Bruce, to whom, being deſcended from our moſt noble anceſtors, we transfer, as we juſtly may, our own right of royal dominion, unanimouſly declaring him our king by common conſent, who in our opinion, and in the opinion of moſt men, is as juſt, prudent and pious, as he is powerful and courageous: who will do juſtice to all claſſes of people, and reſtore to the church thoſe properties, of which it has been ſo damnably and inhumanly deſpoiled, &c.

No. IV.

The following is the Form of a Proclamation made on the Occaſion of changing the Lordſhip into the Kingdom of Ireland. P. 62.

FORASMUCH as the hearts of all godly, natural, reaſonable, and civil creatures be kindled with love and joy, when they hear of the proſperity, triumph and advancement of their natural ſovereign liege lord; honourable aſſembly, ye ſhall underſtand, that the triumph ſhewed here this day is done principally to give thanks to God, for his great benefits ſhewed to our noble and victorious king, Henry the eighth, and to deliver our own gladneſs and joy, that his majeſty is now, as he hath always of right been, acknowleged by the nobility and commons of this his realm of Ireland, to be *King* of the ſame, and he and his heirs to be named, reputed and taken for evermore kings of Ireland, moſt worthy under God. And for manifeſtation partly of the gladneſs of the nobility here aſſembled, it is agreed by the king's deputy, and the lords ſpiritual and temporal, and the commons aſſembled in this parliament, that all priſoners of whatever eſtate, degree, or condition, however they be detained for murder, felony or other offences, which the ſaid lord deputy may pardon (treaſon, wilful murder, rape and debt only excepted) ſhall be clearly delivered out of priſon or priſons though herein they may or any of them be detained, and all ſuch priſoners as ſo ſhall be delivered, ſhall have their pardon frank and free, requiring the ſame accordingly. And God ſave the king's majeſty, King Henry the eighth, king of England, Ireland and France, defender of the faith, and in earth ſupreme head of the Church of England and Ireland.

No.

No. V.

Proclamation of temporary Conſtitutions made by Deputy and Council IN MAGNO PARLIAMENTO. *P.* 64.

1ſt. That King Henry be received and called King of Ireland.

2d. That biſhops may exerciſe their juriſdictions in their dioceſs, according to the law of God, and the canons.

3d. That laymen nor boys be not admitted to eccleſiaſtical preferments, and that ſuch as be in already, ſhall be immediately deprived.

4th. That the demeſnes of biſhops, and the glebes of rectors and vicars not exceeding ten marks per annum, be exempted and privileged from taxes.

5th. That all thoſe, that have dignities or benefices eccleſiaſtical, ſhall take orders and reſide.

6th. That a general peace be proclaimed throughout Munſter; and afterwards, he that commits murder or robbery ſhall be fined forty pounds, half to the king and half to the lord of the fee.

7th. That larceny, above the value of fourteen pence, ſhall be puniſhed with loſs of an ear the firſt time, and t'other ear the ſecond, and the third time with death.

8th. No horſeman ſhall keep more garſons or boys, than horſes, on pain of twenty ſhillings.

9th. That every father ſhall anſwer for his children, maſter for his ſervants, gentleman for his followers, and brother for his brethren, under his tuition, and ſhall give in a liſt of them.

10th. That every kerne, that has not a maſter, that will anſwer for him, be taken as a vagabond.

11th. That there be no more exactions to maintain horſe or foot, or kernes or to war againſt one another; and that no more coyne or livery be taken but by the deputies order at a general huſtings.

12th. That nevertheleſs the captain of the county muſt have the uſual contribution of the country for the public and his own private defence.

13th. That petty larceny be puniſhed by a fine of three pounds ſix ſhillings and eight pence, whereof forty ſhillings ſhall be paid to the captain or lord of

the county, and twenty ſhillings to the taniſt, *ſi non eſt particeps criminis*, and ſix ſhillings and eight pence to the informer.

14th. That no man buy goods above the value of five ſhillings, from any ſuſpected perſon, at his peril, if they prove to be ſtolen.

15th. *Depopulatores agrorum et ſpoliatores per viam* and rape ſhall be puniſhed with death without mercy.

16th. That no man ſhall meddle with any eccleſiaſtical officer or benefice, but pay all their tithe punctually, and half tithe of the fiſh taken by foreigners on the coaſt.

17th. That noblemen ſhall have but twenty cubits or bandles of linen in their ſhirts, horſemen eighteen, footmen ſixteen, garſons twelve, clowns ten, and that none of their ſhirts ſhall be dyed with ſaffron on pain of twenty ſhillings.

18th. That the lord or gentlemen, into whoſe county a theft is traced, muſt trace it thence, or make reſtitution.

19th. No *hiſtriones, mummers or players* at Chriſtmas or Eaſter.

Laſtly, the Earl of Ormond, in the counties of Waterford, Typerary and Kilkenny, and the Earl of Deſmond in the reſt of Munſter, are made *cuſtodes* and *executores* of theſe ordinances, with the aſſiſtance of the Biſhop of Caſhel.

No. VI.

3 *and* 4 *P. and M. c.* 2. *An Act whereby the King and Queen's Majeſties, and the Heires and Succeſſours of the Queen be entitled to the Countries of Leix, Slewmarge, Irry, Glinmaliry, and Offaily, and for making the ſame Countries Shire Grounds.* *P.* 70.

PRAYEN the commons in this preſent parliament aſſembled, that foraſmuch as the O'Mores, Odempſies, O'Connors, and others of the Iriſhry, lately inhabiting the countries of Leix, Slewmarge, Irry, Glinmaliry, and Offaily, and by their ſundry manifeſt treaſons, after many pardons granted to them, and ſundry benefits ſhewed to them, yet often rebelled, committing great hurts to the king and queen's majeſties moſt loving ſubjects, by the which they provoked the moſt worthy prince, Edward the ſixth, brother to our

our ſaid ſovereign lady, the queen's majeſtie, to uſe his power againſt them, who at length to his great charge did ſubdue and repreſs the ſaid Iriſh rebels or enemies, bringing into his poſſeſſion the countries aforeſaid, ſithence which time the ſaid O'Mores, Odempſies, O'Connors, and others of the ſaid Iriſhry, have traitorouſly, contrary to their bounden duties, by force entered the ſaid countries, and them ſo did hold againſt the king and queen's majeſties, unto ſuch time as their majeſties, by the diligent and painfull travaill and labour of the Right Honourable the Earl of Suſſex, their majeſties lord deputy in Ireland by the ſword evicted and reduced the ſaid countries out of and from the wrongfull and uſurped poſſeſſion of the ſaid Iriſh enemies or rebels to their majeſties former poſſeſſion, as of right appertayneth, and for that, that neither of the ſaid countries is known to be within the limites of any ſhires or counties of this realm, no title could be found either to the ſaid late king, or to their majeſties, for and in the ſaid countries, and the hereditaments of them as by their graces law is appointed to be in like caſe; by default whereof their majeſties might not take order for the diſpoſition of the ſaid countries by their graunts as they now intend to doe. Bee it therefore ordeyned enacted and eſtabliſhed by our ſaid ſovereign lord and lady the king and queens majeſties, the lords ſpiritual and temporall, and the commons in this preſent parliament aſſembled, and by authoritie of the ſame, that the ſaid king and queens majeſties during the life of the ſaid queen, and the heires and ſucceſſors of the ſaid queen, ſhall have, hold and poſſeſs for ever as in the right of the crown of England and Ireland, the ſaid counties of Leix, Slewmarge, Iwrye, Glimnalyrie and Offaily, and all ſingular ſeignories, honours, mannors, caſties, fortreſſes, meſſuages, lands, tenements, woods, moores, paſtures, mountaines, mareſhes, waters, rivers, loghes, churches, chappels, advowſons, patronages, townes, fields, rentes, ſervices, and all and ſingular other the heriditaments, ſpiritual and temporall, of what name, nature, kind or quality ſoever they bee of in the ſaid countries and everie of them according to the auncient limits, meares, and boundes of the ſame countries, and everie of them, except all and ſingular ſuch parſonages and vicarages, as now have cure there, the patronages whereof ſhall be likewiſe given to their majeſties and to the heirs and ſucceſſors of the ſaid queen's majeſtie for ever.

No. VII.

From the Preamble of 11 ELIZ. *c.* 1.

AND now moſt deere ſoveraign ladie, least that any man, which lift not to ſeek and learn the truth, might be ledd eyther of his owne fantaſtical imagination, or by the ſiniſter ſuggeſtion of others, to think that the ſtrene or lyne of the O'Neils ſhould or aught by prioritie of title to hold or poſſeſſe anie part of the dominion or territories of Ulſter, before your majeſty, your heyres and ſucceſſours, we your grace's ſaid faithful and obedient ſubjects, for avoyding of all ſuch ſcruple, doubt, and erroneous conceit, do intend here (pardon firſt craved of your majeſty for our tedious boldneſſe) to diſcloſe unto your highneſſe your auncient and ſundry ſtrong authentique tytles conveyed farre beyond the ſaid lynage of the O'Neiles, and all other of the Iriſhrie, to the dignitie, ſtate, title, and poſſeſſion of this your grace's realm of Ireland. And therefore it may like your moſt excellent majeſtie to be advertiſed, that the auncient chronicles of this realm, written both in the Latine, Engliſh, and Iriſh tongues, alledge ſundry auncient titles for the Kings of England to this land of Ireland. And firſt, that at the beginning, afore the comming of Iriſhmen into the ſayd land, there were dwelling in a province of Spain, called Biſcan, whereof Bayon was a member, and the chief citie; and that at the ſaid Iriſhmen's comming into Ireland, one King Gurmonde, ſonne to the noble King Belan, King of Great Britaine, which is called England, was lord of Bayon, as many of his ſucceſſours were to the time of King Henry the Second, firſt conquerour of this realm, and therefore the Iriſhmen ſhould be the King of England his people, and Ireland his land. Another title is, that at the ſame time that Iriſhmen came of Biſcay as exiled perſons in ſixtie ſhips, they met with the ſame King Gurmond upon the ſea, at the Yles of Orcades, then coming from Denmark with great victory, their captaines called Heberus and Hermon, went to this king, and him told the cauſe of their comming out of Biſcay, and him prayed with great inſtance, that he would graunt unto them, that they might inhabite ſome land in the weſt. The king at laſt, by advice of his counſel, granted them Ireland to inhabit, and aſſigned unto them guides for the ſea to bring them thither; and therefore they ſhould and aught to bee the King of England's men. Another title is, the clerke Giraldus Cambrenſis,

brenſis, writeth at large the hiſtorie of the conqueſt of Ireland, by King Henry the Second, your famous progenitor, how Dermot Mac Morch, prince of Leinſter, which is the firſt part of Ireland, being a tyrant or tyraunts baniſhed, went over the ſea into Normandie, in the parts of France, to the King Henry, and him baſely beſought of ſuccour, which hee obtayned, and thereupon became liegeman to the ſaid King Henry, through which he brought power of Engliſhmen into the land, and maried his daughter, named Eve, at Waterford, to Sir Richard Fitz Gilbert, earl of Stranguill, in Wales, and to him graunted the reverſion of Leinſter, with the ſaid Eve his daughter. And after that the ſaid earl granted to the ſaid King Henry, the citie of Dublin, with certaine cantredes of land next to Dublin, and all the haven-townes of Leinſter, to have the reſt to him in quiet, with his grace's favour. Another title is, that in the year of our Lord God one thouſand one hundred ſixtie-two, the aforeſaid King Henry landed at the citie of Waterford, within the realm of Ireland, and there came to him Dermot, King of Cork, which is of the nation of the Mac Carties, and of his own proper will became liege tributorie, for him and his kingdom, and upon that made his oath, and gave his hoſtages to the king. Then the king rode to Caſhell, and there came to him Donalde, King of Limericke, which is of the nation of the O'Briens, and became his liege, as the other did. Then came to him Donalde, King of Offorie, Mac Shaghlin, King of Ophaly, and all the princes of the South of Ireland, and became his liegemen aforeſaid. Then went the ſaid King Henry to Dublin, and there came to him O'Kirnill, King of Uriell, O'Rowrke, King of Meth, and Rothorick, King of all Iriſhmen of the land, and of Connaght, with all the princes, and men of value of the land, and became liege ſubjects and tributaries, by great oathes, for them, their kingdomes, and lordſhippes to the ſaid King Henry, and that of their owne good wills, as it ſhould ſeem, for that the chronicles make no mention of any warre or chivalrie done by the ſaid King, all that time, that he was in Ireland. And in the year of our Lord God a thouſand a hundred fourſcore and five, he gave the land of Ireland to his youngeſt ſonne John by name, about which time the ſaid John came in perſon into Ireland, and held the ſame land. Another title is, that all the clergie of this realm aſſembled at Armagh at the time of the conqueſt, upon coming over of Engliſhmen our forefathers, and there it was decreed and deemed by them, that through the ſinne of the people of the land, by the ſentence of

of God, the miſchiefe of the conqueſt then befell. Another title is, that the firſt comming and being of King Richard the Second, in Ireland, at the citie of Dublin, and other places of the land, there came unto him, with their own good wills, O'Neyl, captain of the Iriſhmen of Ulſter, O'Breene of Thomond, O'Connor of Connaght, Arther Mac Morchie, captain of Iriſhmen in Leinſter, and all captaines of Iriſhmen of Ireland, and became liege men to the ſaid King Richard, and to him did homage and fealty, and for the more greater ſuretie bound themſelves in great ſummes of money, by divers inſtruments, in caſe they did not truely keepe and hold theire allegiance in the forme aforeſaid; and therefore ſayeth this clerk, that from the beginning of his time, which was about three hundred and fourſcore years paſt, good is the King of England's title and right to the land and lordſhip of Ireland, and wiſheth him for ſhame to hold the ſame as a thing of great price, in deſpite of them that would ſay the contrarie. This author, in a ſhort collection of this his hiſtorie, ſaith, that one Robert Fitz Stephen was the firſt man, that opened the way of Ireland to the Earl Stranguyle, the earl to King Henry, the king to his ſon John, and that greatly hee is to be praiſed, that firſt ſo boldly began; and greater worthy of prayſe, that after the beginning ſo nobly came to execute the thing ſo well began, but moſt of all he is to be praiſed, that ſhall end the ſame: which prayſe, by God's divine preſcience, is light on your majeſtie, in whoes happie days this four hundred and four years began conqueſt is now ended, and brought to an honourable paſſe, without any great effuſion of bloud, but by a godly conqueſt, in winning of the people and the land, who now being over layed by the mightineſs of your power, and perſwaded by the juſt and gracious dealing of your deputie here, are fatigated with warre, and begin to cry, firſt for your mercy, and next for your juſtice, to remaine as a continual ſtickler among them, and to right and end their cauſes for ever. Now leaving theſe hiſtorical titles, which be witneſſe at time, and the meane whereby man is brought to the knowledge of antiquities, as a firme foundation layed for your majeſties good and ſound right to this realm, we will corroborate the ſame with recent matter of record, verifying your majeſties title in generalitie to the whole realm of Ireland, and in particularitie to the dominion and territories of Ulſter. And therefore it is to be underſtood, that King Henry the Second, the firſt conquerour of this realme, ſent one John de Corſie, being a valiant knight, and a borne ſubject to the crowne of England, into Ulſter with

with a power of men, who firſt won the citie of Downe, and after that conquered all Ulſter, and brought the people of the ſame in due ſubjection to the crowne of England, and for his painefull ſervice and worthy deeds, did hold and poſſeſſe the ſayd countrey of Ulſter quietly of the King of England's gift, of whoſe companions in armes, there remaineth this day in Ulſter, as a teſtimonie of that conqueſt, certaine ſtripes of Engliſh bloud, as the Savages, Gordans, Fitz Simons, Chamberlins, Benſons, Ruſſels, Audeleyes, Whytes, and many others, as proprietories of large portions of land, hardly and valiantly hitherto kept by them, although with great peril and povertie: which John de Corſie died without iſſue, after whoſe death the ſame countries were given to Hugh de Lacey, and to his heires, who died, having iſſue a daughter, which daughter was married to one Redmonde de Burgo, which Burgo, after three or four decentes, had iſſue a daughter, was eſpouſed to Leonell, Duke of Clarence, third begotten ſon of your moſt famous progenitor King Edward the Third, who likewiſe quietly held the ſame countrey of Ulſter during his life, in right of his ſayd wife, and died, having iſſue Philippe, his only daughter, which was married to Edmonde Mortimer, earle of March, who long and honourably enjoyed the ſame country; which Edmond Mortimer had iſſue Roger Mortimer, earle of March, which had iſſue Edmond Mortimer, Anne, and Ellynor, which Edmond and Ellynor died without iſſue: and the ſaid Anne was married to Richard, earl of Cambridge, ſonne unto Edmond Langley, duke of York, the fifth begotten ſonne of the ſaid King Edward the Third; which Richard had iſſue the famous prince Richard Plantagenet, duke of York, which had iſſue that noble prince King Edward the Fourth, father to the virtuous Queen Elizabeth, your majeſties grandmother, united in matrimony to the high and ſage Prince Henry the Seventh, your majeſties good and gracious grandfather: during all which time the O'Neyles were of no eſtimation, nor durſt bear up head in Ulſter, but lived as vaſſals and obedient people to the crowne of England, untill civill warres began in the realm of England, betwixt King Richard the Second, and Henry of Lancaſter, ſonne to John of Gaunt, by which diſcord the foundation of this common wealth began to ſhake; for that thoſe perſonages of honour and reputation here withdrew themſelves to England, to be occupied as they were affected in that factious time; upon whoſe departure the O'Neyles, and other Iriſhrie heere, ſought and took opportunitie to withdraw from their dutie of allegiance, and ſo to doe

all that, which appertained to rebelious and undutifull ſubjects to doe, and ſo diſcontinued uncontrolled, untill the foure and thirtieth year of the raign of your moſt famous and victorious father King Henry the Eighth, at which time O'Neyle, O'Breene, Mac William Bourk, and others, the greateſt and chiefeſt captaines of the Iriſhrie of this realm, repaired into England to his majeſtie's royal preſence, and there with all humilitie, free conſent, and good will ſubmitted themſelves unto his grace, reſigning and ſurrendering up unto his highneſſe hands their captainſhips, ſtiles, titles, dignities, ſuperiorities, countries, and lands, to be ordered and diſpoſed at his grace's pleaſure; who, like a mercifull and bounteous prince, accepting the ſame, returned them home againe, with Engliſh names of honour, great gifts and poſſeſſions, to be holden in ſucceſſion, by Engliſh tenure, of his majeſtie, his heires and ſucceſſours for ever. And farther in a parliament holden at Dublin within this realm, the eight and twentieth year of the raigne of youre ſaid moſt famous father, it was enacted by an act, intituled, The Act of *Abſencie:*

" That foraſmuch as it was notorious and manifeſt, that this land of Ire-
" land, being heretofore inhabited and in due obedience to the ſaid king's
" moſt noble progenitors, who in thoſe days, in the right of the crowne of
" England, had great poſſeſſions, rents, and profites within the ſame land,
" hath principally growen into ruine, rebellion, and decay, by occaſion that
" great dominions, lands, and poſſeſſions within the ſame land, as well by
" the king's graunts, as by courſe of inheritance, deſcended to noblemen of
" the realm of England, and eſpecially the lands and dominions of the
" earledomes in Ulſter and Leinſter; the conqueſt and winning whereof, in
" the beginning, not only coſt the king's ſaid noble progenitors, and their
" faithfull ſubjects of this realm, charges ineſtimable, but alſo thoſe, to
" whom the ſaid lands was given then, and many years after abiding with-
" in the ſaid land, nobly and valiantly defended the ſame againſt all the
" king's enemies, and alſo kept the ſame in ſuch tranquillity and good or-
" der, as the king of England had due obedience of the inhabitance there,
" the laws obeyed, and of the revenues and regalitie were duely anſwered;
" and after the gift or diſcent of the ſaid lands, poſſeſſions, and dominions
" to the perſons aforeſaid, they and their heires abſented themſelves out of
" the ſaid land of Ireland, denjorning within the realm of England, not pon-
" dering ne regarding the preſervation thereof, the townes, caſtels, and gar-
" riſons appertaining unto them, fell in ruin and decay, and the Engliſh
" inha-

" inhabitants therein, in default of defence and juſtice and by compulſions of " thoſe of the Iriſh, were exiled, whereby the king's ſaid progenitors loſt as " well their ſaid dominion and ſubjection there, as alſo all their revenues and " profites, and their ſaid enemies, by redopting or retaining the ſaid lands, " dominions, and poſſeſſions, were elevated into great pride, power, and " ſtrength for ſuppreſſing of the reſidue of the king's ſubjects of this land, " which they daily, ever ſince, have attempted, whereby they from time to " time uſurped and encroached upon the king's dominion, which hath been " the principall cauſe of the miſerable eſtate wherein the land was at that " preſent time:" and thoſe lands and dominions, by negligence and default of the very inheritors, after this manner loſt, may bee good example to your majeſtie, intending by the grace of God, the reformation of the ſaid land, to foreſee and prevent, that the like ſhall not inſue hereafter. Therefore the three eſtates of this realm, aſſembled in the preſent parliament, did enact, condicend, and agree, " That your majeſties ſaid moſt famous father ſhould " have, hold, poſſeſſe, and injoy, to him, his heires and ſucceſſors, for ever, " as in the right of the crown of England, as well the ſaid earldomes of " Ulſter and Leinſter, as alſo all other honours, mannours, lordſhips, caſtles, " ſeignories, and other hereditaments whatever to the ſaid perſons in any " wiſe belonging or appertayning, within this your majeſties realm of Ire- " land." And likewiſe in a parliament holden at the ſaid citie of Dublin within this land, in the three and thirtieth year of the raign of your ſaid moſt victorious father, it was enacted then by authoritie of the ſaid parliament, " That your majeſties ſaid moſt famous father ſhould bee king of Ireland, " and that his highneſſe, his heires and ſucceſſours, as kings of the ſame " realm ſhould have all kingly eſtate, preheminence, dignitie, and ſuperioritie " over this land and the people of the ſame:" all which recent and ſtrong titles conſidered together with this your majeſties late honourable eviction of the ſaid dominion of Ulſter from the uſurpation of the traytirous intruder Shane O'Neyle, maketh to manifeſt proof to the world of your cleere, ſound and unſpotted titles, both to the whole body of this realm, and in particularitie to that part and member of Ulſter, out of which hath like to have growen the infection and ſubverſion of this your realm.

No. VIII.

Letter from LORD ESSEX *to* QUEEN ELIZABETH, *dated* 15 *June*, 1598.
(*Page* 77.)

WHEN this ſhall come to your majeſty's hands, I know not; but whenſoever it hath that honour, give it leave (I humbly beſeech your majeſty) to tell you, that now having paſſed through the provinces of Leinſter and Munſter, and been upon the frontier of Connaught (where the governour, and the chief of the province were with me) I dare begin to give your majeſty ſome advertiſement of the ſtate of this kingdom, not as before by hear-ſay, but as I beheld it with mine own eyes. The people in general have able bodies by nature, and have gotten by cuſtome ready uſe of arms, and by their late ſucceſſes boldneſs to fight your majeſties troups: In their pride they value no man but themſelves; in their affection they love nothing but idleneſs, and licentiouſneſs; in their rebellion they have no other end, but to ſhake off the yoak of obedience to your majeſty, and to rout out all remembrance of the Engliſh nation in this kingdom. I ſay, I ſay this of the people in general; for I find not only a great part thus affected, but that it is a general quarrel of the Iriſh; and they who do not profeſs it, are either ſo few, or ſo falſe, that there is no account to be made of them. The Iriſh nobility, and lords of countries, do not only in their hearts affect this plauſible quarrel, and are divided from us in religion, but have an eſpecial quarrel againſt the Engliſh government, becauſe it limiteth, and tieth them who have ever been, and ever would be as abſolute tyrants as any are under the ſun; the towns (being inhabited by men of the ſame religion and birth as the reſt) are ſo carried away with the love of gain, that for it, they will furniſh the rebels with all things that may arm them, or inable them againſt the ſtate, or againſt themſelves. The wealth of the kingdom (which conſiſteth in cattel, oatmeal, and other victuals) is allmoſt in the rebels hands, who in every province, till my coming, have been maſters of the field. The expectation of theſe rebels is very preſent, and very confident, that Spain will either ſo invade your majeſty, that you ſhall have no leiſure to proſecute them here, or ſo ſuccour them, that they will get moſt of the towns into theire hands, e'er your majeſty ſhall releive and reinforce your army, ſo that now if your majeſty reſolve

ſolve to ſubdue theſe rebels by force, they are ſo many, and ſo framed to be ſoldiers, that the war will certainly be great, coſtly, and long. If your majeſty will ſeek to break them by factions amongſt themſelves, they are covetous and mercenary, and muſt be purchaſed, and their jeſuits and practiſing prieſts muſt be hunted out, and taken from them, which now do ſodder ſo faſt and ſo cloſe together: if your majeſty will have a ſtrong party in the Iriſh nobility, and make uſe of them, you muſt hide from them all purpoſe of eſtabliſhing Engliſh government, till the ſtrength of the Iriſh be ſo broken, that they ſhall ſee no ſafety but in your majeſtie's protection: if your majeſty will be aſſured of the poſſeſſion of your towns, and keep them from ſupplying the wants of the rebels, you muſt have garriſons brought into them able to command, and make it a capital offence for any merchant in Ireland to trade with the rebels, or buy and ſell any arms or munition whatſoever; for your good ſubjects may have for their money out of your majeſtie's ſtore that, which ſhall be appointed by order, and may ſerve for their neceſſary defence, whereas if once they be tradable, the rebels will give ſuch extreme and exceſſive prices, that they will never be kept from them: if your majeſty will ſecure this your realm from the danger of invaſion, as ſoon as thoſe, which direct and manage your majeſty's intelligences give notice of the preparations, and readineſs of the enemy, you muſt be as well armed, and provided for your defence: which proviſion conſiſts in having forces upon the coaſt, enrolled and trained, in having magazines of victuals in your majeſtie's weſt and north-weſt parts, ready to be tranſported, and in having ſhips, both of war and tranſportation, which may carry and waft them both upon the firſt alarm of a decent; the enrolling and training of your ſubjects is no charge to your majeſtie's own coffers: the providing magazines will never be any loſs, for in uſing them you may ſave a kingdom; and if you uſe them not, you may have your old ſtore ſold, and (if it be well handled) to your majeſtie's profit. The arming your majeſtie's ſhips, when you hear your enemy's army is gone to ſea, is agreeable to your own provident and princely courſes, and to the policies of all princes and ſtates of the world. But to return to Ireland again: as I have ſhewed your majeſty the dangers and diſadvantages, which your ſervants and miniſters here ſhall and do meet withall in this great work of reducing this kingdom, ſo I will now (as well as I can) repreſent to your majeſty your ſtrengths and advantages.

Firſt.

Firſt, Theſe rebels are neither able to force any walled town, caſtle, or houſe of ſtrength, nor to keep any, that they get, ſo that while your majeſty keeps your army and vigour, you are undoubtedly miſtreſs of all towns and holds whatſoever; by which means, (if your majeſty have good miniſters) all the wealth of the land ſhall be drawn into the hands of your ſubjects; your ſoldiers in the winter ſhall be with eaſe lodged, and readily ſupplyed of any wants, and we that command your majeſties forces, may make the war offenſive and defenſive, may fight and be in ſafety as occaſion is offered.

Secondly, Your majeſty's horſemen are ſo incomparably better than the rebels, and their foot are ſo unwilling to fight in battle, or groſs (howſoever they be deſirous to ſkirmiſh and looſe fight) that your majeſty may be allways miſtreſs of the champion countries, which are the beſt parts of the kingdom.

Thirdly, Your majeſty victualling your army out of England, and with your garriſons burning and ſpoiling the country in all places, ſhall ſtarve the rebels in one year, becauſe no place elſe can ſupply them.

Fourthly, Since no war can be made without munition, and munition this rebel cannot have but from Spain, Scotland, or your towns here, if your majeſty will ſtill continue your ſhips and pinnaces upon the coaſt, and be pleaſed ſend a printed proclamation, that upon pain of death, no merchant, townſman, or other ſubject, do traffick with the rebel, or buy or ſell in any ſort any kind of munition or arms, I doubt not but in ſhort time I ſhall make them bankrupt of their own ſtore, and I hope our ſeamen will keep them from any new.

Fifthly, Your majeſty hath a rich ſtore of gallant colonels, captains, and gentlemen of quality, whoſe example and execution is of more uſe, than all the reſt of your troups; whereas the beſt men of quality among the rebels, who are their leaders and their horſemen, dare never put themſelves to any hazard, but ſend their kerne, and their hirelings to fight with your majeſty's troups, ſo that although their common ſoldiers are too hard for our new men, yet are they not able to ſtand before ſuch gallant men, as will charge them.

Sixthly, Your majeſty's commanders being adviſed and exerciſed, know all advantages, and by the ſtrength of their order will, in great fights, beat the rebels; for they neither march, nor lodge, nor fight in order; but only by the benefit of footmanſhip, can come on, and go off at their pleaſure, which makes them attend a whole day, ſtill ſkirmiſhing, and never engaging themſelves

themſelves, ſo that it hath been even the fault and weakneſs of your majeſty's leaders, whenſoever you have received any blow, for the rebels do but watch and attend upon all groſs overſights.

Now if it pleaſe your majeſty to compare your advantages and diſadvantages together, you ſhall find, that though theſe rebels are more in number than your majeſty's army, and have (though I do unwillingly confeſs it) better bodies and perfecter uſe of their arms, than thoſe men, which your majeſty ſends over; yet your majeſty commanding the walled towns, holds, and champion countries, and having a brave nobility, and gentry, better diſcipline and ſtronger order than they, and ſuch means to keep from them the maintenance of their life, and to waſte the country, which ſhould nouriſh them, your majeſty may promiſe yourſelf, that this nation will in the end be ſucceſsful, though coſtly, and that your victory will be certain, though many of honeſt ſervants muſt ſacrifice ourſelves in the quarrel, and that this kingdom will be reduced, though it will aſk (beſides coſt) a great deal of care, induſtry, and time.

No. IX.

Extract from the Annals of the Four Maſters, relative to ſome of the great Mileſian families, who attended Parliament, A. D. 1585. *P.* 80.

IN this year, a proclamation has been publiſhed by the government, requiring of the chieftains of Ireland to aſſemble in parliament at Dublin, in the month of May; for at this time, moſt of the Iriſh were ſubmiſſive to their prince. They accordingly obeyed the aforeſaid order.

In this aſſembly appeared the chiefs of Tirconall and Tirone: particularly Torlogh, Luinagh, O'Neill, and Hugh the ſon of Firdarach O'Neill, laſt Baron of Dungannon, but in the preſent parliament received under the title of Earl of Tirone. O'Donall (Hugh the ſon of Magnus) Maguire, chief of Firmanagh, (Cuchonnact the ſon of Cuchonnact) O'Dogharty, chief of Iniſoen, (Shane og the ſon of Shane) O'Boyle, (Torlogh ſon of Neill) O'Gallagher, John the ſon of Tuathal.

In the ſame parliament appeared the chieftains of Orgial, (Ros the ſon of Arthur

Arthur Mac Mahon, O'Cahane (Rory the ſon of Magnus), chieftain of Oreacht, Conn O'Neile (the ſon of Null og), chief of Clanna-boy, Magennis, chief of Hyveagh (Hugh the ſon of Donall og), O'Rorke, chief of the weſtern Breffny (Brian na Murtha, the ſon of Brian Ballach), O'Riley, chief of the eaſtern Breffny (Shane Roc, the ſon of Hugh Conallach), together with his uncle Edmond, in contention with each other about the right of governing their country. The O'Farrals of Annally appeared alſo in this parliament, namely, O'Farral Can (William ſon of Donal), and O'Farrall boy (Fachtna ſon of Brian); the Clan-Mury chiefs of Conaught preſented themſelves alſo in that aſſembly, viz. Hugh O'Conor (the ſon of Dermond O'Conordon), Teig og O'Conor Roe, Donall O'Conor Sligoe. Brian Mac Dermott appeared alſo as repreſentative for May-lurg (*i. e.* the plains of Bayle), as the chieftain of that diſtrict was diſabled by his great age to appear in perſon, O'Berne, chief of Tirbrun on Shannon (Carbrey the ſon of Teige), O'Kelly of Hy-Manly (Teige ſon of William), O'Madden of Siol Anmead (Donall ſon of Shane.)

There appeared in that parliament alſo the Earl of Clanrickard (the ſon Richard), the two ſons of O'Shagnuſſy (John and Dermond.) For the country of Ler-Conaght appeared Murcha-na-dua O'Flaherty. From Thomond appeared Donogh (the ſon of Conor), Earl of Thomond, and Sir Turlogh O'Brien, elected a knight of parliament for the county of Clare; alſo Turlogh the ſon of Teige O'Brien and Macnamara (Shane), as repreſentative of the weſtern diſtrict of Clan culim, and Boethius Mac Egan returned one of the knights of parliament for the county of Tipperary. Ros the ſon of O'Lochlin, of Burren; the ſon alſo of O'Brien, of Ara (Murtagh, the biſhop of Killaloe), O'Carrol of Ely (Calvagh), Mac Caghlin (Shane), the ſon of Arthur, O'Ducie of Coille na managh (Philip ſon of Othus), Mac Brian O'Guanach (Murtogh), the chieftain of Carigogonnel (Brian Duff O'Brian), O'Mulrian (Conor na meinge), Chieftain of Uathney O'Mulrian.

In the ſame parliament appeared a number of chiefs from South Mury, Mac Carthy Mor (Donall), Mac Carthy Cairbreach (Owen ſon of Donall), with his nephews by two brothers, Donall and Fingin.—Two of the Mac Carthy Chiefs alſo, who were in contention about the eſtate of Alla.—O'Sullivan of Bera (Owen ſon of Dermod), O'Sullivan Mor (Owen ſon of Donall), O'Mahony of Fun iararach (Conor), O'Driſcol Mor (Fingin), Mac Gilla

Patric

Patric of Offory (Fingin), Macgeochagan, Chief of Kenel Fiacha (Conla), O'Mulloy (Conall), Chief of Fera-kall.

Few of the Cavenaghs, O'Burns, O'Tools, O'Duns, and O'Dempſeys, appeared.—Fiach Mac Hugh O'Burn, however, took his ſeat, as a repreſentative for the part of the county of Wicklow he poſſeſſed, *i. e.* the glyn of Malura.

No. X.

(*Page* 81.)

WHEREAS the Right Honourable Garret, earl of Deſmond, hath aſſembled us his kinſmen, followers, and friends and ſervants about him, after his coming out of Dublin, and made us privy to ſuch articles as by the lord deputy and council was delivered unto him the 8th of July, 1579, to be performed, as alſo his anſwers to the ſaid articles, which ſaid anſwers we find ſo reaſonable, as we with one accord do council and adviſe the ſaid earl not to conſent nor yield to any more, than in his letter is already granted; and further the ſaid earl declared unto us, that if he do not yield preſently to the performance of the ſame articles, and put his pledges for obſervation thereof, that then the lord deputy will bend his force, and make war againſt him. We the perſons underwritten do adviſe and counſel the ſaid earl to defend himſelf from the violence of the ſaid lord deputy, that doth aſk ſo unreaſonable a demand, as in the ſaid articles is contained; and for to defend and ſtick to this our adviſe and council, we renounce God, if we do ſpare life, body, lands, and goods, but will be aiding, helping, and aſſiſting the ſaid earl, to maintain and defend this our advice againſt the ſaid lord deputy, or any other, that will covet the ſaid earl's inheritance.

In witneſs whereof to this our counſel to the ſaid earl, we have hereunto put our hands the 18th of July, 1578.

Garret Deſmond, Thomas Lixnaw, John Deſmond, John Fitz James, Rory Mac Shehey, Morrogh O'Bryan, Moriarta Mac Bryan of Lancorthe, Fa. K. E— Fa. D. K. B. Theobald Burk, Daniel O'Brian, Richard Burk, John Brown, Daniel Mac Canna of Dumbrain, James Ruſſel, Richard Fitz Edmund Girald, Ulick Mac Thomas of Ballincarrigy, Ulick Burk, John Fitz William of Karnederry, Tug O'Heyn Chairely.

Letter from DESMOND *to* ORMOND.

MY LORD,

Great is my grief, when I think how heavily her majeſty is bent to diſfavour me; and, howbeit I carry the name of an undutiful ſubject, yet God knoweth, that my heart and mind are always moſt loyally inclined to ſerve my moſt loving prince, ſo it may pleaſe her highneſs to remove her diſpleaſure from me. As I may not condemn myſelf of diſloyalty to her majeſty, ſo I cannot excuſe my faults, but muſt confeſs I have incurred her majeſty's indignation; yet when the cauſe and means, which were found, and deviſed to make me commit folly, ſhall be known to her highneſs, I reſt in aſſured hope, that her moſt gracious majeſty will think of me as my heart deſerveth, as alſo thoſe, who wrung me into undutifulneſs. From my heart, I am ſorry that folly, bad counſels, flights, or any other things, have made me to forget my duty; and therefore I am moſt deſirous to get conference with your lordſhip, to the end I may open and declare to you how tyrannouſly I was uſed; humbly craving, that you will vouchſafe to appoint ſome time and place, where and when I may attend your honour; and then I doubt not to make it appear, how dutiful a mind I carry; how faithfully I have, at my own charge, ſerved her majeſty, before I was proclaimed; how ſorrowful I am for my offences, and how faithfully I am affected ever hereafter to ſerve her majeſty; and ſo I commit your lordſhip to God.

(Subſcribed) GIRALD DESMOND.

No. XI.

Breve of Pope Clement VIII. *to the Iriſh Nation.* (*Page* 87.)

CLEMENS Papa VIII. univerſis et ſingulis venerabilibus fratribus archiepiſcopis, epiſcopis et prælatis; necnon dilectis filiis principibus comitibus, baronibus, populis regni Hiberniæ, ſalutem et apoſtolicam benedictionem.

Cum jam diu ſicut accepimus, vos Romanorum pontificum prædeceſſorum noſtrorum, ac noſtris et apoſtolicæ ſedis cohortationibus adducti, ad veſtram libertatem recuperandam, eamque, adverſus hæreticos, tuendam et conſervandam,

vandam, bonæ memoriæ Jacobo Giraldino (qui durum ſervitutis jugum vobis ab Anglis ſanctæ eccleſiæ deſertoribus impoſitum, ſummo animi ardore depellere, dum vixit pro viribus procuravit:) deinde Johanni Giraldino ejuſdem Jacobi Conſobrino, et noviſſimè dilecto filio nobili viro Hugoni principi ô Neillo dicto Comiti Tironenſi, Baroni Dungennaniæ et capitaneo generali exercitûs Catholici in Hibernia conjunctis animis ac viribus preſto fueritis; ac opem et auxilium præſtiteritis, ipſique duces et eorum milites manu Domini exercituum illis aſſiſtente, proceſſu temporis plurima egregia facinora contra hoſtes viriliter pugnando præſtiterint, et in poſterum præſtare parati ſint, nos, ut vos ac dux et milites predicti alacrius in expeditionem hanc contra dictos hæreticos opem et operam in poſterum etiam præſtare ſtudeatis, ſpiritualibus gratiis et favoribus vos proſequi volentes eorumdem prædeceſſorum noſtrorum exemplo adducti; ac de omnipotentis Dei miſericordiâ, ac Beatorum Petri et Pauli Apoſtolorum ejus authoritate confiſi, vobis omnibus et ſingulis qui prædictum Hugonem Tironenſem Ducem ejuſque exercitum Catholicæ fidei aſſertores et propugnatores ſequimini, ac illis vos adjunxeritis, aut auxilio, favore, comeatibus, armis, aliiſque bellicis rebus ſeu quâcumque ratione eis in hac expeditione operam dederitis, ipſique Hugoni Duci, ejuſque exercitus militibus univerſis et ſingulis, ſi vere pœnitentes et confeſſi, ac etiam, ſi fieri poterit, ſacra communione refecti fueritis plenariam omnium peccatorum ſuorum veniam et remiſſionem, ac eamdem quæ proficiſcentibus ad bellum contra Turcas, ad recuperationem Terræ Sanctæ per Romanos Pontifices concedi ſolita et miſericorditer in Domino concedimus non obſtantibus, &c.

Datum Romæ apud Sanctum Petrum ſub annulo piſcatoris, die decimo ſexto Aprilis 1600. Pontificatûs anno nono.

No. XII.

(Page 87.)

From the MSS. Trinity College, Dublin, being a brief Declaration to the Queen, concerning the Abuſes of her Government in Ireland, particularly under the Adminiſtration of Sir William Fitz Williams, written in 1594, *by Captain* THOMAS LEE.

To the QUEEN'S *Moſt Excellent* MAJESTY.

UNDERSTANDING, moſt gracious ſovereign, the proud and inſolent terms the lords of the north of Ireland do now ſtand upon, it maketh me bold to ſet down my knowledge of thoſe parts to your majeſty, becauſe I have debated often with the chiefs of them, what was fit they ſhould yield unto your majeſty; and that it was unmeet for them in any ſort to condition with your highneſs: in the end (after long debating) they ſeemed ſomewhat to like and allow of that which I demanded, as hereafter ſhall appear. And becauſe your majeſty may the better judge the cauſes of their diſcontentments, I have here ſet down the unconſciable courſes, which have been held towards them, which being remedied, and that they may ſee your majeſty doth no way allow of the ſame, there is no doubt (notwithſtanding all their proud ſhews of diſloyalty) but that they may be brought to dutiful obedience, and to yield you that profit, which neither your majeſty now hath, nor any of your progenitors ever had; ſo as they may likewiſe have that, which they demand, being nothing unfit for your majeſty to grant. In which diſcourſe, if any thing ſhould ſeem unpleaſing to your majeſty, I humbly beſeech you to paſs it over, and to peruſe the reſt, whereof I doubt not, but ſomething will content your highneſs, for that it tendeth to your highneſs's ſervice and commodity.

My meaning, whereby your highneſs's profit may ariſe, is by O'Donnel Maguire, Bryan Oge O'Rourke, and Bryan Oge M'Mahon.

The demands I made for your majeſty were theſe, that they ſhould receive your majeſty's forces into their countries, and your laws to go current, as they did in other places, and ſome part of their countries to be reſerved for your majeſty to diſpoſe unto them, who ſhould govern them; and they to charge themſelves with that proportion, that was fit for them to bear.

To

To thoſe demands they all yielded; ſo that they might have ſuch gentlemen choſen, as they knew would uſe no treachery, nor hard meaſures towards them, but to live upon that which your majeſty would allow, and that which they would give of their free conſents, and be no farther charged, and they would be as dutifull as any other country in Ireland now is. And how this may be performed, I have made bold, with your majeſtie's favourable liking, here to ſet down upon my knowledge, both how your majeſtie's forces may be received with their conſent, and they to yield great profit in diſcharge of that, which your majeſty allows to the ſoldiers, and the ſoldiers to be well ſatisfied.

The cauſe they have to ſtand upon thoſe terms, and to ſeek for better aſſurance is, the harſh practices uſed againſt others by thoſe, who have been placed in authority to protect men for your majeſtie's ſervice, which they have greatly abuſed and uſed in this ſort.

They have drawn unto them by protection three or hour hundred of theſe country people, under colour to do your majeſtie ſervice, and brought them to a place of meeting, where your garriſon ſoldiers were appointed to be, who have there moſt diſhonourably put them all to the ſword: and this hath been by the conſent and practice of the lord deputy for the time being. If this be a good courſe to draw theſe ſavage people to the ſtate, to do your majeſty ſervice, and not rather to enforce them to ſtand upon their guard, I humbly leave to your majeſty.

When ſome one who hath been a bad member (pardoned by your majeſty) hath heard himſelf exclaimed upon to be a notable thief after his pardon, and hath ſimply come in without any bonds, or any other enforcement, to an open ſeſſion to take his trial, by your majeſty's laws, if any could accuſe him, notwithſtanding his coming in after this manner, and without any trial at the time (becauſe he was a bad man in times paſt), there hath been order given in that ſeſſion for the execution of him, and ſo he has loſt his life, to the great diſhonour of your majeſty, and diſcredit of your laws.

There have alſo been divers others pardoned by your majeſty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majeſty great ſervice, and many of them have loſt their lives therein; yet upon ſmall ſuggeſtions to the lord deputy, that they ſhould be ſpoilers of your majeſty's ſubjects, notwithſtanding their pardon, there have been bonds demanded of them for their appearance at the next ſeſſions.

They

They knowing themſelves guiltleſs, have moſt willingly entered into bonds, and appeared, and there (no matter being found to charge them) they have been arraigned only for being in company with ſome of your highneſs's ſervitors, at the killing of notorious known traitors, and for that only have been condemned of treaſon, and loſt their lives. And this diſhoneſt practice hath been by the conſent of your deputies.

When there have been notable traitors in arms againſt your majeſty, and ſums of money offered for their heads, yet could by no means be compaſſed, they have in the end (of their own accord) made means for their pardon, offering to do great ſervice, which they have accordingly performed to the contentment of the ſtate, and thereupon received pardon, and have put in ſureties for their good behaviour, and to be anſwerable at all times, at aſſizes and ſeſſions, when they ſhould be called; yet notwithſtanding there have been ſecret commiſſions given for the murdering of theſe men. They have often been ſet upon by the ſheriff of ſhires, to whom the commiſſions were directed, in ſundry of which aſſaults ſome of them have been killed, and others have hardly eſcaped. And after all this they have ſimply come, without pardon or protection, to an open place of juſtice, to ſubmit themſelves to your majeſty's laws, where they have been put to their trial upon ſeveral indictments, of all which they have been acquitted, and ſet at liberty. If this be a courſe allowable for poor men to be handled in this manner, and to be at no time in ſafety of their lives, I humbly leave to your majeſty.

When many notorious offenders have ſubmitted themſelves to your majeſty's mercy, and have been accepted, and had their pardons, and have put in good aſſurances to be at all times anſwerable to your laws, the chiefeſt rebel (whoſe followers they were) has been countenanced and borne out by your ſtate, to rob and ſpoil, burn and kill theſe poor men, who did thus ſubmit themſelves. When they have very pitifully complained againſt that arch rebel, and his complices of theſe outrages, they have been ſharply rebuked and reproved for their ſpeeches, and left void of all remedy for their loſſes; ſo as when in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected, and utterly diſcomforted, yet nevertheleſs remained dutiful ſubjects, although they ſee, that ſuch as continue notorious malefactors, are in far more ſafety than they, who depend upon your majeſty's defence.

For it is well to be proved, that in one of your majeſty's civil ſhires, there lived

lived an Iriſhman, peaceably and quietly, as a good ſubject, many years together, whereby he grew into great wealth, which his landlord thirſting after, and deſirous to remove him from his land, entered into practice with the ſheriff of the ſhire, to diſpatch this ſimple man, and divide his goods between them. They ſent one of his own ſervants for him, and he coming with his ſervant, they preſently took his man, who was their meſſenger, and hanged him, and keeping the maſter priſoner, went immediately to his dwelling, and ſhared his ſubſtance (which was of great value) between them, turning his wife and many children to begging; after they had kept him faſt for a ſeaſon with the ſheriff, they carried him to the caſtle of Dublin, where he lay by the ſpace of two or three terms, and having no matter whatever objected againſt him, whereupon to be tried by law, they by their credit and countenance, being both Engliſh gentlemen, and he who was the landlord, the chiefeſt man in the ſhire, informed the lord deputy ſo hardly of him, as that without indictment or trial they executed him, to the great ſcandal of your majeſty's ſtate there, and impeachment of your laws. For if this man had been ſuch an offender as they urged, why was he not tried by ordinary courſe of law? whereby good example of juſtice might have been ſhewed, and your highneſs benefited by his wealth, which they ſhared? But to cut him off by martial law, who was a good houſeholder, inhabiting a civil country, always liable to law, and laſt impriſoned in Dublin (where all the laws of that land have their head), was in my conceit rather rigour than juſtice; for as martial law is very neceſſary, and in my opinion ought to be granted to all governours of remote and ſavage places, where your majeſty's laws are not received, with all other authority and power ſeverely and ſharply to cut off or puniſh offenders, according to the quality of their offence, until ſuch time as the people ſhall become civil, and embrace the law and peaceable living (for till then they are not to be governed without the like meaſure of juſtice) ſo to uſe the ſame, where the people are civil and obedient to their laws, is very indirect juſtice, adminiſtered to your majeſty's poor ſubjects there, who, if they have once been offenders, live they never ſo honeſtly afterwards, if they grow to any wealth, are ſure by one indirect means or other to be cut off.

When there have been means made to an aged gentleman (never traitor againſt your majeſty, neither he nor any of his anceſtors, and dwelling in one of the remoteſt parts of your kingdom) to come into your ſtate, and that the hard courſes uſed to others, made him demand ſecurity for his coming in,

in, which hath been ſent unto him by great oaths and proteſtations delivered by the meſſenger, whereof he hath accepted, and thereupon come in; yet, notwithſtanding all theſe promiſed ſafeties, this aged gentleman hath been detained priſoner for ſix years, and ſo yet remaineth. And his impriſonment is the only colour to ſatisfy your majeſty for a wonderful great charge, which your majeſty and your ſubjects were then put unto; but his detaining, contrary to promiſe, hath bred great fear in all or moſt of his ſort (in thoſe parts), of crediting what your ſtate there ſhall promiſe.

When upon the death of a great lord of a country, there hath been another nominated, choſen, and created, he hath been entertained with fair ſpeeches, taken down into his country, and for the offences of other men, indictments have been framed againſt him, whereupon he hath been found guilty, and ſo loſt his life; which hath bred ſuch terror in other great lords of the like meaſure, as maketh them ſtand upon thoſe terms, which they now do. When there hath been a ſtratagem uſed for the taking into your majeſty's hands a young youth (the Earl of Tyrconnel), the heir of a great country, by whoſe taking his whole country would have been held in obedience, the practice whereof was moſt good and commendable; yet (after the obtaining of him) his manner of uſage was moſt diſhonourable and diſcommendable, and neither allowable before God nor man. My reaſons are theſe: he being young, and being taken by this ſtratagem, having never offended, was impriſoned with great ſeverity, many irons laid upon him, as if he had been a notable traitor and malefactor, and kept ſtill among thoſe, who were ever notorious traitors againſt your majeſty; having no other council, or advice, or company but their's, what good could come to this young man for his education among ſuch, I humbly refer to your highneſs.

The taking of him as aforeſaid was moſt commendable, and for the good of that country, ſo he had been brought up in this manner: preſently to have been ſent to your majeſty to have been inſtructed in the fear of God, to have known his duty to your majeſty, and to have been furniſhed with all neceſſary parts for a gentleman: and as your majeſty ſhould have found his diſpoſition, ſo either to have detained him here or ſent him home into his country, whoſe good example (by his virtuous training up) might have done God and your majeſty much good ſervice in thoſe parts. I have been the more bold to diſcover to your majeſty the diſhonourable managing of your ſervice there, by the indirect cutting off of ſundry your majeſty's poor ſubjects, becauſe it pleaſed your highneſs (many years ſince) to impart unto me, how much you abhorred to have

have your people there dealt withal by any practice, but only upright juſtice, by your majeſty's laws and forces, which being otherwiſe handled, I deſire to make known to your majeſty, and your moſt honourable council, for redreſs thereof.

But I fear, that they who have well liked that courſe, and have been practiſers of the ſame, will inform your majeſty, that thoſe people are ſo bad, as it is no matter of conſcience to cut them off any way howſoever, which is (in my opinion) for none but tyrants and beggarly princes to imitate. But your majeſty being of ſo great power to offend the mightieſt kings of the world, and to revenge yourſelf upon them, may with much honour ſuppreſs your own vaſſals, by your highneſs's laws and forces, wherein you are at charge in thoſe parts for that purpoſe.

Theſe principal inſtruments, as the lord deputy, and they who have been his aſſiſtants in thoſe diſhoneſt practices, have not only uſed theſe bad means againſt thoſe poor remote and ſavage people, but have done all their endeavours (ſo far as in them lay) to diſcomfort and diſcredit your majeſty's beſt ſervitors, living under their commands, becauſe they miſliked to execute ſuch unjuſt practices and devices, and to allow of their covetous, unconſcionable, and diſhonorable gettings.

I am emboldened, moſt gracious ſovereign, to declare thus much, becauſe, not only my poor ſelf (one of the meaneſt in that place of ſervice) have been partaker of it, but ſome of your majeſty's chief officers alſo have taſted the indiſcreet bitterneſs of the two laſt lord deputies, as namely Sir Robert Gardiner, in his place of juſtice a moſt worthy man, and void of all manner of corruption; and Sir Richard Bingham, in his place of government, againſt whom (even within his own juriſdiction) traitors have been ſuborned and countenanced by them; and the like in nature, though not in quality, hath been done againſt myſelf; and as for Sir Richard, there was never man in his place hath done your majeſty like honourable ſervice, without increaſe of charge. For my own part, I leave the report of my ſervices to ſuch as know it, and have ſeen it; yet have they not only done me injuſtice there, but have alſo uſed their beſt friends and credit here, to obſcure my good deſerts, and to make (as far as in them lieth) me a man to be hated of your majeſty, depreſſing me with all their might and authority there, and croſſing me with all their ability and malice here, not becauſe I have ſlacked or not performed your majeſty's ſervice at any time, but for that I have afore time

and now, diſcovered unto your highneſs their diſhonourable dealings and intolerable corruptions.

And I deſire not that your majeſty ſhould either ſimply credit me this my plain detecting them, nor them in excuſing themſelves; but if it pleaſe your highneſs to appoint commiſſioners in that realm for the trial, if I prove not directly all that ever I have declared, let me loſe your gracious favour for ever.

A great part of that unquietneſs of O'Donnel's country came by Sir William Fitz-Williams his placing of one Willis there to be ſheriff, who had with him three hundred of the very raſcals and ſcum of that kingdom, which did rob and ſpoil that people, raviſh their wives and daughters, and made havock of all; which bred ſuch a diſcontentment, as that the whole country was up in arms againſt them, ſo as if the Earl of Tyrone had not reſcued and delivered him and them out of the country, they had been all put to the ſword.

Concerning Tyrone, as your majeſty hath beſtowed it upon the earl, ſo for the better furtherance of the aforeſaid ſervices, it may pleaſe your highneſs to accept of his own offers, which were, that all Tyrone might be but one country; which granted, he would (upon his own charge) build a gaol and a ſeſſion houſe, and receive a ſheriff into his country, whereby your laws might be obſerved there.

And where the earl's adverſaries have, in times paſt, incenſed your majeſty againſt him, for the hanging and cutting off one Hugh Gavelock, a notable traitor, and ſon to Shane O'Neale, informing your majeſty, that the ſaid Hugh was your majeſty's ſubject, it ſhall be well proved, that he was ever a traitor againſt your majeſty, a daily practiſer with foreigners (as the Scots and others) for the diſturbances of that kingdom, and one, who fought by all means to overthrow the earl, who by martial law (which he then had) did cut him off for his offences. For the doing whereof, he did incur your highneſs's diſpleaſure; and the ſaid martial law, which kept that whole country in awe, was taken from him; the want whereof has made his country people grow inſolent againſt him, and careleſs of obſerving any humanity or duty, which hath bred the outrages now in practice, ſo that (in my poor opinion) it were requiſite to reſtore the ſame authority unto him, provided it ſhould not extend to the cutting off of any, but ſuch malefactors, as ſhall be of his own country, his tenants, and followers; and I dare ſay, he may every year

hang

hang 500 falſe knaves, and yet reſerve a great ſtock to himſelf; he cannot hang amis there, ſo he hangs ſomebody.

For the performances of the ſervices in thoſe aforeſaid countries, it is not O'Donnel, Maguire, Brian Oge Mac Mahon, nor Brian Oge O'Roirke, nor any of thoſe four, who muſt be dealt withal, for they are all traitors and villains, and moſt obſtinate againſt your majeſty; but the foundation muſt be laid upon the Earl of Tyrone, to draw him by any reaſonable conditions unto your majeſty, that you may have conference with him, and as he is made by your majeſty a great man there, ſo may he be alſo a ſpecial good member in that commonwealth, to redreſs and remedy many great diſorders, which no doubt he would faithfully do, if he might be truſted; for what maketh a man honeſt but truſt?

And whereas ſome affirm, that he ſtandeth upon a pardon for himſelf and his followers, I think not ſo; for he and they hold themſelves in leſs ſafety thereby, than they were before, becauſe they have ſeen pardons ſerve (in their conceit) rather for traps to catch others in, than for true and juſt remiſſion and acceptance into the free benefit of ſubjects, which maketh him fear the like practice towards himſelf.

For whom, although I have undertaken at my firſt coming, that he ſhould have performed as much as I then delivered on his behalf to your majeſty, how I dare engage my credit ſo far from him, becauſe it is long ſince I ſaw him.

But if it pleaſe your majeſty to ſend me unto him, with encouragement and protection immediately from your majeſty, that he ſhall come to your lord deputy there, and to your highneſs here in ſafety, to come and go without impediment or ſtay of his perſon, I doubt not but to bring him and his ſon (whom I would wiſh to be detained, but as himſelf ſhall like of) and whatſoever he undertaketh to the lord deputy, coming in after this manner, there is no doubt of his performance: I know his adverſaries, who never were ſuch friends as they might have been to the common weal of that kingdom, will be earneſt with your majeſty againſt this, and that it is a great diſhonour to you to grant it; but it will be proved, by their teſtimony, who live there, how greatly it ſhall advance your majeſty's ſervice in this dealing with him, who hath heretofore ſerved faithfully and valiantly, and hath therefore well merited, and ſhall ſave the lives of your highneſs's ſubjects, and the expence of much of your treaſure.

They who will be againſt this, have thoſe many years ſuffered notorious traitors, namely, Feagh M'Hugh, and the baſtard Geraldines, mightily to diſhonour your majeſty, in the very view of your ſtate; and with that baſe rebel and his adherents they will deal, as it were by way of intreaty, to accept of protections, which is as much diſhonour to a prince of your excellency and greatneſs as may be, ſo to condition with ſuch beggarly objects, as have neither power nor wealth, and yet are noted here to be great and dangerous men to your ſtate there.

If there go not ſome ſpeedy contentment to the earl, to ſtay all this expected fury, which is like to happen, but that there muſt be preſent wars made upon him and his adherents, your majeſty ſhall take them in hand at a very unfit time, when they are thoroughly provided to do great miſchief, and your majeſty not ſo provided to defend your poor ſubjects from their ſudden force and fury.

Your majeſty, ſince you were queen, never had ſo great cauſe to bethink you of the ſervice of that place, as now you have. Your highneſs ſhall not get ſo great honour in cutting off him, and thouſands of thoſe bare people that follow him, as you ſhall to win him, and them to be good and loyal ſubjects, and to live and ſerve your highneſs for good offices. As the caſe now ſtandeth with the earl, he hath ſmall encouragements to be otherwiſe than he now is.

For where it was your majeſty's pleaſure he ſhould have great encouragement given him, by thanks for his laſt good ſervice againſt Maguire, it was held from him, and inſtead of that, they deviſed all means and policies to aggravate matters againſt him to your majeſty, which is credibly made known unto him; and more, that upon what ſecurity ſoever he ſhall come in, your majeſty's pleaſure is to have him detained. How he hath theſe advertiſements from hence, I know not; but your majeſty is, or ſhall be informed, that he and his lady are Papiſts, and foſter ſeminaries, &c.

True it is, he is affected that way, but leſs hurtfully and dangerouſly than ſome of the greateſt in the Engliſh Pale; for when he is with the ſtate, he will accompany the lord deputy to the church, and home again, and will ſtay and hear ſervice and ſermon; they, as ſoon as they have brought the lord deputy to the church door, depart, as if they were wild cats, and are obſtinate; but he, (in my conſcience) with good conference, would be reformed; for he hath only one little cub of an Engliſh prieſt, by whom he is ſeduced,

for

for want of his friends acceſs unto him, who might otherwiſe uphold him.

There hath been an old unſical demand in taking pledges of ſuch, as are held dangerous men to your majeſty's ſtate there. I make bold to give that term, becauſe there is no one, who hath known your ſervice of Ireland longeſt, who can ſet down and prove, that ever Iriſhman was held in obedience by his pledge: if any can, let me loſe my credit for ever. I am able to ſet down of my own knowledge, almoſt by twenty years experience, in which time I have ſeen many pledges taken for the Iriſhry, for retaining them in obedience, the father for the ſon, the ſon for the father, the brother for the brother, and many other of the like nature; when they have taken their times, nevertheleſs, without any regard of pledge, to play the traitors againſt your majeſty at their pleaſure. For when they neither fear God, nor be careful of their duty towards your majeſty, nor fear your force to reform them, your majeſty may be aſſured, it is not their pledges, that can hold them in obedience. Your majeſty, therefore, may (in my opinion) do well to let no ſuch demand be made of them, but when they ſhall give cauſe of offence, let them be throughly followed with your forces, and plagued in ſuch ſort, as may make them afraid to offend you. For the leſs your majeſty ſhall eſteem them, the more obedient you ſhall have them; and by this courſe your majeſty ſhall ſave a great deal of charge for the diet of ſuch as they put in for pledge.

And when there was credible report made, that the Earl of Tyrone came in to the lord deputy, without pardon or protection; I aſſure myſelf, your majeſty ſhall find he came in upon the credit of your ſtate, although in policy he might be willed to give out otherwiſe, and no doubt, but ſuch as have often miſtaken his actions, and intents, would make an open demand of him, how? And he perhaps anſwer them, without protection; and upon this his anſwer they might be very importunate with the lord and the council, that he might be detained for great matters of treaſon, wherewith they had to charge him, which demand of theirs being refuſed, it is not unlike but they would either write to your majeſty, or to their friends here, to inform your majeſty how provident they were to have him ſafe kept, and yet their cares and offers were neglected.

Let thoſe devices of theirs take effect, or otherwiſe, to have him cut off, your majeſty's whole kingdom there would moan it moſt pitifully, for there was never man bred in thoſe parts, who hath done your majeſty greater ſervice than he, with often loſs of his blood upon notable enemies of your majeſty's;

majeſty's; yea, more often than all the other nobles of Ireland. And what quietneſs your majeſty had theſe many years paſt in the northern parts of that kingdom, its neither your forces there placed (which have been but ſmall) nor their great ſervice, who commanded them, but only the honeſt diſpoſition and carriage of the earl hath made them obedient in thoſe parts to your majeſty. And what pity it is, that a man of his worth and worthineſs ſhall be thus dealt withal by his adverſaries, (who are men who have had great places of command) and neither they, nor their friends for them, are able to ſet down, they ever did your majeſty one good day's ſervice, I humbly leave to your majeſty.

If he were ſo bad, as they would fain enforce, (as many as know him and the ſtrength of his country, will witneſs thus much with me) he might very eaſily cut off many of your majeſty's forces, which are laid in garriſons in ſmall troops, in divers parts bordering upon this country; yea, and over-run all your Engliſh Pale, to the utter ruin thereof; yea, and camp as long as ſhould pleaſe him, even under the walls of Dublin, for any ſtrength your majeſty yet hath in that kingdom to remove him.

Theſe things being conſidered, and how unwilling he is (upon my knowledge) to be otherwiſe towards your majeſty than he ought, let him (if it pleaſe your highneſs) be ſomewhat hearkened unto, and recovered (if it may be) to come in unto your majeſty to impart his own griefs, which no doubt he will do, if he will like his ſecurity. And then, I am perſuaded, he will ſimply acknowledge to your majeſty, how far he hath offended you; and beſides (notwithſtanding his protection) he will, if it ſo ſtand with your majeſty's pleaſure, offer himſelf to the marſhal (who hath been the chiefeſt inſtrument againſt him) to prove with his ſword, that he hath moſt wrongfully accuſed him. And becauſe it is no conqueſt for him to overthrow a man ever held in the world to be of moſt cowardly behaviour, he will, in defence of his innocency, allow his adverſary to come armed againſt him naked, to encourage him rather to accept of his challenge.

I am bold to ſay thus much for the earl, becauſe I know his valour, and am perſuaded he will perform it; and what I have ſpoken of him, over and above this, theſe reaſons have led me to it.

Being often his bedfellow, he hath divers times bemoaned himſelf, with tears in his eyes, ſaying, if he knew any way in the world to behave himſelf (otherwiſe than he hath done) to procure your majeſty's aſſured good opinion

of

of him, he would not ſpare (if it pleaſed you to command him) to offer himſelf to ſerve your highneſs in any part of the world againſt your enemies, though he were ſure to loſe his life.

And as he hath in private thus bemoaned himſelf unto me, ſo are there many eye witneſſes here in your highneſs's court, who have ſeen him do no leſs openly; which tears have neither proceeded from diſſimulation, nor of childiſh diſpoſition, (for all who know him will acquit him thereof) but of mere zeal unto your highneſs, and grief and fear to loſe your favour, whom he deſireth with life, and all he hath, moſt dutifully and loyally to ſerve.

Whereas I have taken upon me to nominate gentlemen as fitteſt to be employed in the above-mentioned ſervices in thoſe remote places, I know there will be great exceptions againſt them, becauſe they are thought to be too near friends to the earl. But I will prove, that none can ever do your majeſty ſuch good ſervice there, as they who have been always trained up in thoſe parts in ſervice, and are beſt acquainted with the earl and the other lords of the countries. And I am of opinion, if it were demanded of the earl and the reſt, they had rather have ſtrangers placed in thoſe parts, than thoſe gentlemen of their acquaintance; becauſe theſe, in any outrages in theſe countries, dare truſt the earl with themſelves and their ſmall troops, to be aided by him, whereof they ſhould not fail; when ſtrangers would be loth and fear ſo to do; for their truſt will procure the earl and his followers, to undertake and perform with them, whatſoever they ſhall require for your majeſty's ſervice.

And what is it to your majeſty, to lay upon the earl the truſt and credit of ſettling your majeſty's forces in thoſe parts, and to give him your majeſty's free protection to come in, without fear, from time to time, to anſwer to any thing that ſhall be objected againſt him, and to retire home again? And if it ſhall at any time happen, that he ſhall ſo offend, as to deſerve puniſhment, then your majeſty is to prepare your princely forces, and make royal war upon him, letting him ſharply taſte what it is to offend ſo gracious and great a prince.

And likewiſe the reſt of the lords of thoſe countries, are (upon the receiving in of your majeſty's garriſons, and paying the duties and compoſitions before ſpecified) to have the like meaſure offered them.

I am the bolder, moſt gracious ſovereign, to ſet down this my opinion for managing thoſe remote places, and preventing theſe preſent expected troubles;

bles; becauſe I have been an eye witneſs of a needleſs and chargeable war held againſt one of the lords of the north, namely, Surleboy, a Scot, which war ended not by your majeſty's forces, but by the loſs of that rebel's chief inſtrument, his ſon Alexander; yet were the ſaid traitors intreated to accept of their pardon, and had more beſtowed upon them for playing the traitors, than they demanded before. And my fear is (if this expected fury ſhall follow to be wars) it will fall out to the like or a worſe iſſue; for he, who doth now oppoſe himſelf againſt the earl, was the chief commander then, and did moſt diſhonourably perform it, as ſhall be apparently proved, when it ſhall pleaſe your majeſty to appoint.

I have heard, many think much, that the earl performed not his promiſe with the new lord deputy, but they little conſider what ſlender encouragement he had given him at his coming in to do it. If he found, as like he did, in what great peril he was to be detained, as, notwithſtanding the aſſurance whereupon he came in, if his adverſaries' credit would have place, he had been reſtrained. There was no likelihood of his performance of any thing he then undertook, becauſe he ſaw himſelf in ſo great peril; neither is it like, he will hereafter hazard the like. But, if his promiſe be expected to be peformed, then, I think, he deſireth good aſſurance, firſt, of his own ſafety, whereupon there may be hope he will effect all promiſes, good offices, and ſervices, for the good of that poor kingdom, and till then there is nothing to be expected from him but doubt, and preparation to defend himſelf, and offend greatly.

When your majeſty's garriſon-ſoldiers were firſt planted in the county of Monaghan, there was great ſervice offered to Sir William Fitzwilliam by Sir Henry Duke, for his ſitting down at the Abby of Cloonis (whereof he is farmer) with his own company of light foot, and fifty of your highneſs' garriſon-ſoldiers, and to have diſcharged your majeſty's of all manner of victualling charge, only to have been monthly fully paid their entertainment; and at that time there were at the ſame abby good and defenſible buildings to ſuccour your majeſty's garriſon, which are defaced and pulled down by the traitors, for fear they ſhould ſerve for that purpoſe. If this offer had been accepted, it had greatly furthered your majeſty's ſervice now, and peradventure had prevented, or at leaſt hindered the troubles now expected, becauſe it is ſo near upon Maguire's country, and the ſtay of his paſſage to the Engliſh Pale.

Not-

Notwithſtanding it much imported, that this ſervice ſhould have been hearkened unto, yet Sir William Fitzwilliam's malice at that time was ſo extreme againſt Sir Henry Duke, who no doubt would have performed it as effectually, as he offered it, he utterly rejected it; even as he did the like and many greater ſervices, offered by other your majeſty's good ſervitors there.

His greedy deſire at that time in reſpect of his own gain, made him careleſs of theſe offers, and of thoſe good ſervitors, who would freely offer themſelves; he eſteemed beſt of the baſer ſort, as of one Willis, and ſuch as he was, whom he made captains and officers in the Iriſh countries, who with their great troops of baſe raſcals behaved themſelves ſo diſorderly, as made the whole country to riſe in an uproar and to drive them out, which advantage given by thoſe bad and lewd fellows to the ill-diſpoſed Iriſhry, hath emboldened them ever ſince to ſtand in no fear or ſubjection of your highneſs' ſtate, or forces there. Theſe, and many the like ſervices, as bad, or worſe, did Sir William Fitzwilliam whilſt he had authority in that place.

Although many needleſs journies were made by Sir William Fitzwilliam, which were both chargeable to your majeſty, and troubleſome to your poor ſubjects, yet was there one into the province of Conaught, which was very neceſſary, and grounded upon probable reaſon, determined for the cutting off and utter baniſhing of the traitor O'Roirke, and all his confederates; which ſervice could not be performed without the aſſiſtance of the Earl of Tyrone, who was ſent unto before the journey was undertaken. The meſſenger was one belonging to your highneſs' council there, a friend of Sir William Fitzwilliam's, and one well-affected by the earl, who declared to him the cauſe of his coming down, to be for preparation againſt O'Roirke, and what the lord deputy's demand was, that the earl ſhould perform therein. The earl moſt honourably (as he had often times before) undertook to perform as much as the lord deputy then required, returning the ſaid meſſenger very well ſatisfied; for he ſent the lord deputy word, he would be ready to attend the ſervice with one thouſand men at the place appointed, and more he would have brought, if he had more time, or ſooner warning. The place to him aſſigned was on the border of Tyrconnel, on that ſide of Laugherne towards Conaught, there to ſtop the paſſage, that O'Roirke with his companies and creatures ſhould not that way eſcape into thoſe parts, which he well liked of and promiſed ſo to do, adding further, (if it pleaſed the lord deputy to command him) he would break a ferry with his forces into O'Roirke's country,

and either drive him out, or deprive him of life, and prey his whole country, and do great ſervice upon all O'Roirke's adherents. This anſwer of the earl's ſeemed to ſatisfy the lord deputy very well, who prepared your majeſty's forces forthwith, and ſent word to the earl to be in readineſs upon ſix days warning.

The lord deputy took with him all your highneſs' garriſon, the raiſing out of the Pale as many as he thought fit, and went onward his journey, giving out, (becauſe the rebels ſhould not ſuſpect) that it was only to ſee ſeſſions and aſſizes duly kept in Conaught, and ſat in divers places accordingly, inſomuch as at length he came to Sligo, which joins upon O'Roirke's country, where he abode four or five days, with all his forces, being ſufficient to execute upon O'Roirke, and the other traitors, as much as he had before determined; the earl all this while expecting when he ſhould be called to that pretended ſervice, kept all his forces ready together for that purpoſe, which was no ſmall charge for him. But as it fell out afterwards, Sir William (as it ſeemed) had no ſuch intention; for upon a ſudden he departed from Sligo, journeying quite croſs the whole province of Limerick, leaving O'Roirke's country at his back, doing no ſervice, but charging the poor country (whereof as then it had little need) impoſing the performance of all this expected ſtratagem of Sir Richard Bingham, with ſome of the garriſon to aſſiſt him, who moſt honourably and painfully proſecuted the ſaid proud traitor upon his feet, to the great endangering of his life by the diſeaſe of that country, which caught him in the purſuit of that traitor, whom he then drove out of his country, by which means he was afterwards ſent to have his deſerts here in England. Which exploit (if it had been performed as it was plotted by Sir William Fitzwilliam) O'Roirke had periſhed there, and all thoſe traitors which are now aſſiſtants to his ſon, had then been cut off.

It may pleaſe your majeſty likewiſe to be advertiſed, that divers perſons have been, for their offences, pardoned by your majeſty, and thereby emboldened to frequent all places without fear, having been apprehended and committed ſtraitway to priſon, without any cauſe given (ſince their pardoning) whereof law might take hold, they have offered very ſufficient bail, which hath been refuſed, and they detained, becauſe they in times paſt, were bad, (for which they were pardoned) or for fear they ſhould be bad in time to come. And being thus kept ſeverely in priſon many years, they have at length made friends there, and by great ſums of money here, purchaſed their

pardon

pardon from thence, whereby they have been enlarged. Now, when they obtain their liberty by theſe money means, and not by the juſtice, which your majeſty's laws allow them, they think themſelves very hardly uſed: and others thereby become doubtful and afraid to truſt to their pardons; ſuppoſing, if they want ſuch friends and ſuch means, they ſhall be either indiſcriminately cut off, or elſe for ever kept in priſon upon ſuggeſtion or ſurmize. But if they might perceive, that it is not your majeſty's pleaſure to have them thus handled, and that none ſhould lie in priſon without receiving trial by your highneſs's laws, if their cauſe ſo required, or elſe upon good ſureties to go at liberty, by either of which means they may enjoy the benefit of your gracious laws, even as your good ſubjects, which never offended, no doubt it would free them from great fear and ſuſpicion and make them more dutiful than ever they were.

There is one priſoner in the caſtle of Dublin; an aged and impotent gentleman, of whom (if it be to your highneſſes good pleaſure) I deſire your majeſty ſhall take notice, his name is Sir Owen Mac Toole: one who was never a traytor againſt your majeſty, nor never in any traiterous action: but ſo good a ſubject and ſo faithful a ſervitor as (for his deſerts) he had a penſion from your majeſty, whereof Sir John Perrot bereft him. This gentleman was ſent for by promiſe and aſſurance from the ſtate, that he ſhould not be abridged of his liberty; contrary whereunto he was committed unto priſon, where he hath remained theſe eight years, for whoſe enlargement all bail hath been refuſed. Yet is the gentleman of ſo great years, as he is not able go, and ſcarcely able to ride: for which reſpects and for the ſtate's promiſe, (methinks) he ought to find favour, moreover he is pledge for no man: if he were, pledges profit nothing, as before I have rehearſed. He is father in law to the Earl of Tyrone: and if the earl recovers your majeſty's favour, how highly your majeſty ſhall honour yourſelf by beſtowing this old gentleman's liberty upon the earl, and how much your majeſty ſhall provoke the earl to acknowledge your highneſſes favour therein, your majeſty may eaſily judge, and they who know the ſtate of that kingdom can inform. But if the earl be not ſo happy to obtain ſuch grace at your majeſty's hands, yet it may pleaſe your majeſty graciouſly to regard the poor aged gentleman, that upon good ſureties he may have his liberty, for which I know there would be five hundred pounds given: though he can by no means ſteed them in any bad practice againſt your majeſty's ſtate there, neither in body nor council,

neither can his impriſonment ſtay any of his friends from doing evil, if they be badly diſpoſed: if therefore your highneſs will be pleaſed to releaſe him of your own princely motion, he putting in ſufficient ſureties within the Engliſh pale, to be ever ready within twenty days to anſwer to whatſoever may be objected, you ſhall bind him (as his bounden duty) always to pray for your highneſs, and mightily encreaſe the affection of your majeſty's people.

For the due reformation of all the diſorders in that poor realm of Ireland, and the execution of what worthy action ſoever ſhall be by your majeſty, and your honourable council here determined, and for recovering the honour of that ſtate, which former governors there have loſt; your majeſty, in judgment, hath made moſt excellent choice of the now lord deputy, a man accompanied with all neceſſary parts both in body and mind, as I doubt not but his ſervice ſhall hereafter give good teſtimony, although he have received the ſword in a far more troubleſome and dangerous time, than any of his late predeceſſors ever did. For neither the laſt Deſmond's wars, nor thoſe of Connor's and the Moor's, being both put together, are comparable to that, which is now expected, if it prove, wars; which I deſire (if it be God's will and your majeſty's good pleaſure) may be otherwiſe, not for my private affection for any in the north, but for the public good which I wiſh to that poor kingdom.

For the benefit whereof, and for the performance of all ſuch honourable ſervices, as are now expedient to be done, and all the reſt before in this declaration mentioned, its your majeſty, who muſt not only direct him, but alſo thoroughly enable his lordſhip, that he may give better encouragement to your majeſty's ſoldiers, to take pains in your highneſs's ſervice, than they have had, or yet have; becauſe they daily ſee, that he who never ſerved your majeſty in thoſe ſervices, ſhall come to far better preferment in that place, than the beſt commander or ſerving ſervitor there. Beſides you cannot get that done, which they do, who painfully, and faithfully ſerve.

What encouragement then can a man have to offer himſelf in the wars of that country, who ſhall neither get honour, reward, nor payment for his labour? I ſpeak by experience of myſelf, who (upon my credit) have not had ten crowns impreſt of my own private pay, thoſe ten years, to furniſh me towards your majeſty's ſervice, when I was called upon, and yet I have made one at all times.

When ſuch hard meaſure then is offered unto captains, I humbly refer to your

your majeſty, what encouragement they can have to go to the field. Although without money or any thing elſe, they will do their beſt endeavour, with their ſubſtance, and themſelves, to do your highneſs ſervice; becauſe I know (and ſo do all the reſt) that its not your majeſty's pleaſure to have them ſo diſcouraged, but the fault is in them, who have been thither ſent as deputies, who have preferred their own gain before your highneſs's honour and ſervice, or the juſt reward of ſuch as have moſt truly and painfully ſerved, and for that would pleaſe ſuch cowardly captains, as were their inſtruments to bring them in cows, to convert into angels, to cram their greedy purſes; whom I have a better will particularly to name, than thus generally to write of, if I were perſuaded, your highneſs would thereupon diſcard them: and I know they would not challenge me, becauſe I do them no wrong.

To encourage, therefore, your majeſty's ſoldiers, and to furniſh the lord deputy againſt all accidents that may happen, if it may pleaſe your majeſty, that all the treaſure, which is ſent over into that realm at ſundry times, may be entirely ſent at one time, with commandment, that your majeſty's whole garriſon may be fully paid every month, your majeſty ſhould be moſt honourably ſerved, and the ſoldiers well contented, and the ſubjects not occaſioned to exclaim for want of payment for the ſoldier's diet, when both captains and ſoldiers ſhould have in their purſes to ſatisfy that, and to furniſh themſelves with all other neceſſaries.

For notwithſtanding your highneſs's garriſon hath been ſo ſlenderly paid theſe many years, your majeſty hath not ſaved any thing thereby, but it hath enriched a ſort of baſe clerks, and beggarly merchants, who will not credit a captain now for a groat upon his bill; but all the commodity goeth to the lord deputy, the clerks, and the merchant; ſo as the captain, to furniſh his company, can get no money unleſs he will give 400 for 200, or 200 for 100, and after the like rate; and in this prowling manner your ſoldiers are paid.

Foraſmuch as your majeſty doth pay all in the end, you may (if it be your highneſs's pleaſure) as well benefit your captains, and ſoldiers, as other men's clerks, by ſending an overplus of treaſure to the lord deputy, to pay the old debt due only to captains and ſoldiers, which few thouſands will diſcharge; except it be to one man, unto whom your majeſty oweth five or ſix thouſand pounds, which (if it be your highneſs's pleaſure) may with ſafe conſcience, be detained in your hands, becauſe he hath ſo ill deſerved, through the diſhonouring your majeſty in the place wherein he ſerveth.

And

And now (moſt gracious ſovereign) for that (as I have heard) it hath been credibly reported to your majeſty, that the laſt Deſmond's wars did coſt but 40,000 pounds, thereby the rather to induce your highneſs to make wars upon the north, I have thought it my duty (under your majeſty's protection) to ſet down the truth thereof, whereby it may the more eaſily be judged what the charge of theſe expected troubles may ſtand your highneſs in, by comparing the ſaid Deſmond's wars and theſe together.

The charge of thoſe wars to your majeſty was high, notwithſtanding the great ſupplies then had of your ſubjects, and the great ſuccour and aſſiſtance of ſundry caſtles and good towns, which held firm and faithful to your majeſty to receive and aid your ſoldiers upon all extremes, which towns and caſtles ſtood in moſt commodious places, not only to annoy, but utterly, in a manner, to overthrow the traitor, and all his co-partners. And where it coſt your majeſty then one pound, it coſt your ſubjects three, during all the time of thoſe wars, which charge of your ſubjects I can well make out; for the chief lord of one ſmall village, who had but eight pounds yearly rent for the ſame village, paid for one year's coſt to your highneſs's ſoldiers thirty-eight pounds ſterling, whereof I was alſo an eye-witneſs. Theſe wars, I ſay, did ſtand your majeſty in fourſcore thouſand pounds at the leaſt, for the monthly charge was ſeven thouſand pounds, beſides the victualling by ſea. And yet after all this, your majeſty afforded pardon to the baſeſt rebel, who then took arms againſt you, who yet liveth in view of your ſtate.

The cauſe of thoſe Deſmond's wars, was even like to this in the north, through the great miſtaking of the Deſmond's adverſaries; and that it coſt your majeſty no leſs than I do here ſet down, Sir Henry Wallop can well teſtify.

Moreover, there are no helps to be hoped for in the north, either of caſtles or towns, within to garriſon, or once lodge your majeſty's ſoldiers, for the following and ſuppreſſing of thoſe traitors; for thoſe parts are merely void of ſuch refuge. Again, all the friends to your highneſs in thoſe countries are but two, O'Hanlon and Maginnis, and they uncertain, as your majeſty may thus judge; for O'Hanlon is married to the earl of Tyrone's ſiſter, and merely enriched by the earl; Maginnis, his eldeſt ſon, is to marry the earl's daughter. And this affinity, in the manner of the Iriſh, is always to the party they ſee ſtrongeſt; and when your majeſty (as there is no doubt) ſhall prevail, they will then ſeek favour, and make offer of much ſervice, but ſeldom

dom or never perform any, whereof myſelf have been too often a witneſs. Theſe things conſidered, it may pleaſe your majeſty, and honourable council, to be rightly and throughly advertiſed, before there be wars made in the north parts, whatſoever by ſiniſter informations may be ſuggeſted to the contrary.

For it is not the north only your majeſty ſhall now have to deal withal, but your highneſs's whole province of Conaught ſhall be in great peril of loſing, except Sir Richard Bingham be more ſtrongly enabled or aſſiſted than he now is, truſting to only one band of 100 foot and 50 horſe, wherewith I confeſs he hath done great ſervice. Knockfergus, and the Clanboys, which are now garriſoned with only 100 foot and 25 horſe (who have done your majeſty no ſervice by reaſon of ſuch bad commanders, as have been appointed over them), cannot but be loſt without a very great garriſon, and exceeding great charge, ſo that your highneſs's realm of Ireland being now (as it were) divided into four parts, viz. Leinſter, Munſter, Conaught, and Ulſter, will be in very great danger to be half loſt; for Ulſter is the earl's already, and in Conaught there are divers, who have been traitors not long ſince (and yet ſcarce good ſubjects), who watch but ſuch an opportunity. And in Leinſter there are many, who now ſtir not, who will then riſe in arms, namely, the Birns, the Tools, the Moors, the Connors, and the Cavenaughs, and many other falſe traitors as thoſe, who (if they once perceive troubles to increaſe in the north) will ſeek to moleſt and offend the Engliſh pale, as they have done in times paſt.

And one ſpecial matter more is to be thought upon, where your majeſty, in all the wars of Shane O'Neale, had Tyrconnel faithful and ready to do your highneſs ſervice, and to aſſiſt your ſoldiers, giving the traitors many overthrows (being then an utter enemy to all the Neales); now it is not ſo, for O'Donnel is married to the earl of Tyrone's daughter, and is thereby ſo linked to him, that no place of ſuccour is left to your majeſty's forces in all the north; for Sir John O'Dogherty (who was well affected to your majeſty's ſervice) is now in hold under O'Donnel, ſo as no aid is to be expected from him. This poor gentleman hath been hardly uſed on both ſides; firſt, by Sir William Fitzwilliam, who impriſoned him, in hope to have had of him ſome Spaniſh gold; and now by O'Donnel, becauſe he ſhall not in theſe troubles annoy him.

To write of all other particulars belonging to the north, would be over tedious.

dious. To conclude therefore (with your majeſty's pardon) there are but two ways, either to accept of their own offers of ſubmiſſion and contribution, for defraying of the charge, in this diſcourſe eſpecially before mentioned, and ſo to place your majeſty's garriſons in their countries, thereby to hold them in continual obedience to your highneſs's profit, or elſe to make royal war upon them, and ſo utterly to overthrow and root them up, through all the whole north of that kingdom, and plant others in their room or places. I may in no wiſe omit humbly to acquaint your majeſty, what great hindrance unto your preſent ſervice the ſtay of Sir Robert Gardiner his coming over is like to be, becauſe that he can beſt truly report to your highneſs the ſtate of Ireland, who (as he was ſpecially choſen by your majeſty to be a chief inſtrument for the good of that poor kingdom, where he ever did, and doth miniſter ſuch upright juſtice, as is void of bribery, affection, intreaty of friends, or fear of authority to over-rule him to do any thing unfit for a man of his place) can very hardly be ſpared from thence; yet, the neceſſity of this time importeth, it were (under pardon) moſt meet he were ſent for with all ſpeed; for that (as he can) ſo well, without fear of any, inform your majeſty truly how the ſtate of that your kingdom now ſtandeth, and ſhew good means how to ſtay this expected preſent fury, that is like to happen, to the utter ruin and cutting off many of your majeſty's ſubjects, and the exceeding expence of your highneſs's treaſure. There will be (no doubt) many reaſons alledged to your majeſty to ſtay him there, but I humbly beſeech your highneſs not to harken to them, for the authors of theſe troubles are afraid of his coming thither. But his inſtant repair over will more avail him than his ſtay there, although it is well known he doth (as far as his authority extendeth) afford the people juſtice, without begging it or buying it, which hath been too often bought and ſold there. And your majeſty may at pleaſure return him hither again when he hath done exceeding good ſervice there: although I fear he will be loath (if either his own credit or friends may prevail) to go back thither any more, becauſe he ſeeth he is not able to do your majeſty ſuch good ſervice, as he would and might, if he were more ſtrongly aſſiſted; moreover good deſerts there, procure ſcarce good opinion, or friends here.

What I mean to ſay thus much, when it is not to be amended, nay what pity it is, that ſo gracious a prince, as is your majeſty, cannot help it. For theſe many years paſt your poor ſubjects have been crying out for juſtice, and

and could never get it; beſides it's grown to ſuch gain by corruption, that unleſs your majeſty vouchſafe to take upon yourſelf, or make ſpecial choice of ſome of your honourable council here to look into it, it will not be holden; for if it be referred (as it hath been) there will be ſuch ſhuffling, and ſo much time ſpent, as to ſave the credit of ſome one, that thouſands of your majeſty's good ſubjects ſhall periſh the while. And the rather becauſe advice is chiefly required of him, who is cauſer of all theſe troubles; and that your majeſty may the better judge what good can follow by his directions, let him ſet down what ſervice he did you, when he had the whole authority in his own hands, whereby your highneſs may diſcern the reſt. I know (and thereon dare pawn my life) he cannot prove any one honourable or profitable ſervice he did your majeſty therein, at the time of his government. Opinion is likewiſe required of ſome other counſellors now here, who can ſay as little of thoſe northern parts, as he who was never there.

This being moſt true, let not (I humbly beſeech your majeſty) your poor realm of Ireland be truſting to the advice of ſuch blind adviſers; but vouchſafe your highneſs to be adviſed by thoſe, who know your ſervice there, by their own experience, and eye-witneſs of that, whereof they ſhall yield their opinion; and no one (of a counſellor) can do it better than Sir Robert Gardiner, becauſe his circuit is northward, whereby he doth hear the griefs and diſcontentments of thoſe people.

Moreover, I muſt beſeech your majeſty to be no longer abuſed by lip-labour, and paper and ink; which have, theſe many years, gone for current payment, inſtead of good ſervice, and in ſhow of diſcovering great and weighty cauſes, when in truth they ſeldom tend to any ſuch purpoſe; but ſeeing your majeſty doth pay them ſo well, it may pleaſe you to require better ſervice at their hands, whom your highneſs doth there put in truſt.

If I have in this my plain and ſimple diſcourſes offended your majeſty any way, I moſt humbly aſk pardon for the ſame.

As the phyſician cannot cure the diſeaſe of his patient, until he both know and take away the cauſe thereof, ſo neither are the calamities of your majeſty's kingdom of Ireland to be remedied, until your majeſty be both rightly advertiſed of the ſame, and put in practice the redreſs of the great abuſes there, which cannot be better done (in my ſimple ſkill) than by making an example of ſome one, who has ſerved your majeſty corruptly in that place; and the greater the perſonage is, the greater the juſtice, and the more your

honour in making a precedent of ſuch a one: for your inferior officers can puniſh ſmall offenders, but it is in your majeſty only to correct the mighty tranſgreſſors.

There is no well-adviſed captain will make offer of ſervice, but he hopeth to perform or loſe his life; and eſpecially when he ſhall not gain thereby; for his ſoldiers muſt be paid, or elſe they will not ſerve; beſides he muſt keep them, or elſe he cannot effect the ſervice undertaken, ſo that his only hope of gain reſteth in reputation, reward, and preferment from your majeſty, as he ſhall deſerve, and not in polling and pilling the ſoldiers and your majeſty's ſubjects.

Theſe good ſervices then being accepted, and the abuſes reformed, there is no doubt but your majeſty's kingdom of Ireland ſhall quickly flouriſh in true ſubjection and due obedience to your majeſty's honour and comfort; which I beſeech the Almighty to grant and continue.

The conſiderations (moſt gracious ſovereign) of my own eſtate, who have engaged myſelf and my friends very far, for means to live, and do your majeſty ſervice, hath many times (in the penning of this diſcourſe) ſought to withhold me from diſcovering to your highneſs theſe cauſes of diſcontentments of your poor people in that kingdom, and the bad managing of your majeſty's affairs there, with the means of quieting them, of advancing your majeſty's ſervice, and advantaging your revenues, aſſuring myſelf, that the doing of ſuch an office would neither procure me any friends, nor pay any of my debts: beſides, its againſt my profeſſion (being a ſoldier) to be a penman, or ſo earneſtly to ſeek for peace. Yet, nevertheleſs, when I conſidered what due honour may be unto God, what true ſervice to your highneſs, and what good to that poor commonweal, it made me utterly neglect my own fortune, and reſpect of my private benefit, and emboldened me to diſcharge my duty to God and your majeſty, and diſcloſe my zeal for benefiting that poor realm. And if theſe my labours ſhall be rightly conceived of by your majeſty, and your moſt honourable council, I ſhall think my time happily ſpent, and enjoy as much as I deſire.

And thus, moſt humbly beſeeching pardon for this my bold and rude diſcourſe, and praying on my knees to Almighty God, the director of all princes hearts, that it may pleaſe him to move your majeſty's mind duly to conſider of the premiſes, and pitifully to regard the preſent ſtate of that your poor kingdom, and beſeech him to bleſs your highneſs with all honour, health and princely

princely happineſs, long to reign over us, I moſt humbly conclude with this my petition.

I humbly beſeech your majeſty, if it be your gracious pleaſure to accept the Earl of Tyrone into your highneſs's protection, that he may ſafely come in unto your majeſty, or to your lord deputy, and hither at your pleaſure, that I may be the meſſenger; becauſe at my coming over he repoſed great truſt in me, to deliver unto your majeſty thoſe things, wherewith he found himſelf grieved, wherein I doubt not but to do your highneſs acceptable ſervice, by reaſon of the poor credit I have with him. But if your majeſty be minded to deal otherwiſe with him (becauſe it hath been reported by thoſe, who are adverſaries both to him and to me, that I am a great friend unto him) to ſhow what manner of love mine is towards him, there is none of them, nor any other, who ſhall do greater ſervice than I will, if it pleaſe your majeſty to command me, and enable me fit for it; if not, my ſervice and myſelf, reſt at your highneſs's command to be diſpoſed, as it ſhall pleaſe you, for whom, as is my bounden duty, I will daily pray, &c.

Your Majeſty's faithful
And obedient Servant,
THOMAS LEE.

No. XIII.

The anonymous Letter, upon which the Rebellion of Tyrone and Tyrconnel was founded. (*Page* 104.)

THE import of the letter was as follows, "That he was called into com-
" pany by ſome Popiſh gentlemen, who, after adminiſtering an oath of
" ſecrecy, declared their purpoſe to murder or poiſon the deputy, to cut off
" Sir Oliver Lambert, to pick up one by one the reſt of the officers of ſtate,
" to oblige the ſmall diſperſed garriſons by hunger to ſubmit, or to penn
" them up as ſheep to their ſhambles. That the caſtle of Dublin, being
" neither manned nor victualled, they held as their own, that the towns were
" for them, the country with them, the great ones abroad and in the North
" prepared to anſwer the firſt alarm, that the powerful men in the Weſt are
" aſſured by their agents to be ready as ſoon as the ſtate is in diſorder.

" That the Catholick king had promiſed, and the Jeſuits from the Pope had " warranted men and means to ſecond the firſt ſtirs, and royally to protect " all their actions. That as ſoon as the ſtate is diſſolved, and the king's ſword " in their hands, they will elect a governor, chancellor and council, diſpatch " letters to King (James I.) truſting to his unwillingneſs to embark in ſuch " a war, and to his facility to pardon, would grant their own conditions of " peace and government, with toleration of religion: that if the king liſten " not to their motions, then that the many days ſpent in England in debates " and preparations would give them time enough to breathe, fortify and " furniſh the maritime coaſts; and at leiſure call to their aid the Spaniſh " forces from all parts." The writer of the letter declares, " That he inter- " poſed ſome doubts on them, which they readily anſwered, and he pretended " to them to conſent to further their projects, and that he took the method " of this letter, to give notice of their deſigns, though he refuſed to betray " his friends, in the mean time he would uſe his beſt endeavours to hinder " any further practices." And he concludes, " That if they did not deſiſt, " though he reverenced the Maſs and Catholick religion equal to the devout- " eſt of them, yet he would make the leaders of that dance know, that he " preferred his country's good, before their buſy and ambitious humours."

No. XIV.

BY THE KING.

A Proclamation touching the Earls of Tirone and Tirconnel. (*Page* 104.)

SEEING it is common and natural in all perſons of what condition ſoever, to ſpeak and judge variably of all new and ſudden accidents, and that the flight of the Earls Tirone and Tirconnel, with ſome others of their followers out of the North parts of our realme of Ireland, may happly prove a ſubject of like diſcourſe; We have thought it not amiſs to deliver ſome ſuch matter in publique; as may better cleare men's judgments concerning the ſame; not in reſpect of any worth or value in theſe men's perſons, being baſe and rude in their originall, but to take away all ſuch inconvenience, as may blemiſh the reputation of that friendſhip, which ought to be mutually obſerved betweene

betweene us and other princes. For although it is not unlikely, that the report of their titles and dignities, may draw from princes and ſtates ſome ſuch courteſies at their firſt coming abroad, as are incident to men of ſome extraordinary rancke and qualitie: yet, when wee have taken the beſt meanes wee can to lay them open in every condition, wee ſhall then expect from our friends and neighbours all ſuch juſt and noble proceedings as ſtand with the rules of honour and friendſhip, and from our ſubjects, at home and abroad, that duty and obedience (in their carriage toward them) which they owe to us by inſeparable bonds and obligations of nature and loyaltie, whereof wee intend to take ſtreight accompt. For which purpoſe, wee do hereby firſt declare, that theſe perſons abovementioned had not their creations or poſſeſſions in regard of any lineall or lawfull decent from anceſtors of blood or virtue, but were onely prefered by the late queen our ſiſter of famous memory, and by ourſelves, for ſome reaſons of ſtate before others, who for their qualitie and birth (in thoſe provinces where they dwell) might better have challenged the honours, which were confered upon them. Secondly, wee do profeſs, that it is both knowen to us and our councel here, and to our deputie and ſtate there, and ſo ſhall it appear to the world (as cleare as the ſunne) evident proofes, that the onely ground and motive of this high contempt in theſe mens departure, hath been the private knowledge and inward terrour of their owne guiltineſſe; whereof, becauſe wee heare, that they doe ſeeke to take away the blot and infamie, by devulging that they have withdrawen themſelves for matter of religion (a cloake that ſerves too much in theſe dayes to cover many evil intentions), adding alſo thereunto ſome other vaine pretext of receiving injuſtice, when their rights and claims have come in queſtion betweene them and us, or any of our ſubjects and them, wee think it not impertinent to ſay ſomewhat thereof.

And therefore, although wee judge it needleſſe to ſeeke for many arguments to confirme whatſoever ſhall be ſaid of theſe mens corruption and falſhood (whoſe hainous offences remaine ſo freſh in memorie, ſince they declaired themſelves ſo very monſters in nature, as they did not only withdraw themſelves from their perſonall obedience to their ſoveraigne, but were content to ſell over their native country to thoſe, that ſtood at that time in the higheſt terms of hoſtilitie with the two crownes of England and Ireland), yet to make the abſurditie and ingratitude of the allegations abovementioned ſo much the more cleare to all men of equal judgement, wee do hereby profeſſe

feſſe in the worde of a kinge, that there never was ſo much as any ſhadowe of moleſtation, nor purpoſe of proceeding in any degree againſt them for matter concerning religion. Such being their condition and profeſſion, to thinke murder no fault, mariage of no uſe, nor any man worthy to be eſteemed valiant, that did not glorie in rapine and oppreſſion; as we ſhould have thought it an unreaſonable thing to trouble them for any different point in religion, before any man could perceive by their converſation, that they made truely conſcience of any religion. So we alſo for the ſecond part of their excuſe affirme, that (notwithſtanding all that they can claime, muſt be acknowledged to proceed from meere grace upon their ſubmiſſion, after their great and unnaturall treaſons) there hath never come any queſtion concerning their rights or poſſeſſions, wherein wee have not bene more inclinable to doe them favour than to any of their competitours, except in thoſe caſes wherein wee have plainely diſcerned, that their onely end was to have made themſelves by degrees more able than now they are, to reſiſt all lawfull authoritie (when they ſhould return to their vomit againe), by uſurping a power over other good ſubjects of ours, that dwell among them, better born than they, and utterly diſclaiming from any dependancie upon them. Having now delivered thus much concerning theſe men, eſtates, and their proceedings, wee will onely end with this concluſion, that they ſhall not be able to denie, whenſoever they ſhould dare to preſent themſelves before the ſeate of juſtice, that they (before the running out of our kingdom) not onely entred into combination for ſtirring ſedition and inteſtine rebellion, but have directed divers inſtruments, as well prieſts as others to make offers to foreine ſtates and princes (if they had bene as ready to receive them), of their readineſſe and reſolution to adhere to them, whenſoever they ſhould ſeeke to invade that kingdom. Wherein, amongſt other things, this is not to be forgotten, that under the condition of being made free from Engliſh government, they reſolved alſo to comprehend the utter extirpation of all thoſe ſubjects, that are nowe remayning alive within that kingdom, formerly deſcended from Engliſh race. In which practiſes and propoſitions, followed and fomented by prieſts and jeſuits (of whoſe functions in theſe times the practice and perſwaſions of ſubjects to rebell againſt their ſoveraignes, is one ſpecial and eſſentiall part and portion) as they have found no ſuch incouragement as they expected, and have boaſted of; ſo wee doe aſſure ourſelves, that when this declaration ſhall bee ſeene and duely weighed with all due circumſtances, it

will

will be of force ſufficient to diſperſe and to diſcredit all ſuch untrueths as theſe contemptible creatures, ſo full of infidelity and ingratitude, ſhall diſgorge againſt us, and our juſt and moderate proceedings, and ſhall procure unto them no better uſage, than they would wiſh ſhould be offered to any ſuch packe of rebells, borne their ſubjects, and bound unto them in ſo many and ſo great obligations.

Given at our palace of Weſtminſter, the fifteeenth day of November, in the fifth year of our reigne of Great Britain, France, and Ireland.

GOD SAVE THE KING.

No. XV.

A Letter from ſeveral of the Lords of the Pale to KING JAMES I. (*P.* 109.)

MOST RENOWNED AND DREAD SOVERAIGNE,

THE reſpective care of your highneſs's honour, with the obligation, that our bounden duty requireth from us, doth not permitt, that we, your nobility of this part of your majeſty's realme of Ireland, commonly termed the Engliſh Pale, ſhould ſuppreſs and be ſilent in aught, which in the leaſt meaſure might ymport the honour of your majeſty's moſt royal perſon, the reputation of your happy government, or the good and quiet of your eſtates and countryes; and therefore are humbly bold to addreſſe theſe our ſubmiſſive lynes to your highneſs, and ſo much the rather, till that of late years it hath been a duty ſpecially required, the nobility of this kingdom to advertiſe their princes your majeſty's moſt noble progenitors, of all matters tending to their ſervice, and to the utility of the commonwealth.

Your majeſty's pleaſure for calling a parliament in this kingdom hath been lately divulged, but the matters therein to be propounded not made known unto us, and to others of the nobility; we being, notwithſtanding, of the grand councell of the realme, and may well be conceived to be the councell meant in the ſtatute made in King Henry the Seventh's time, who ſhould join with the governour of this kingdom, in certifying thither, what acts ſhould paſſe here in parliament; eſpecially, it being hard to exclude thoſe, that

that in reſpect of their eſtates and reſidence, next to your majeſty ſhould moſt likely underſtand, what were fitteſt to be enacted and ordeyned for the good of their prince and country.

Yet are we for our own parts well perſuaded they be ſuch, as will comport with the good and relief of your majeſty's ſubjects, and give hopeful expectation of reſtauration of this lately torn and rended eſtate, if your majeſty have been rightly informed, they having (as it is ſaid) paſſed the cenſure of your highneſs's moſt rare and matchleſſe judgment. But the externe and public courſe held (whereof men of all ſorts and qualities do take notice of the management thereof) hath generally bred ſo grievous an apprehenſion, as is not in our power to expreſs, ariſing from a fearful ſuſpicion, that the project of erecting ſo many corporations in places, that can ſcanty paſſe the rank of the pooreſt villages, in the pooreſt country in Chriſtendom, do tend to naught elſe at this time, but that by the voices of a few ſelected for the purpoſe, under the name of burgeſſes, extreame penal laws ſhould be ympoſed upon your ſubjects here, contrary to the natures, cuſtoms, and diſpoſitions of them all in effect, and ſo the general ſcope and inſtitution of parliaments fruſtrated, they being ordeyned for the aſſurance of the ſubjects not to be proceſſed with any new edicts or laws, but ſuch as ſhould paſs with the general conſent and approbation.

Your majeſty's ſubjects here in general do likewiſe very much diſtaſte and exclayme againſt the depoſing of ſo many magiſtrates, in the cities and boroughs of this kingdom, for not ſwearing th' oath of ſupremacy in ſpiritual and eccleſiaſtical cauſes, they proteſting a firm profeſſion of loyalty, and an acknowledgement of all of kingly juriſdiction and authority in your highneſs; which courſe, for that it was ſo ſparingly and myldly carried on in the time of your late ſiſter of famous memory, Queen Elizabeth, and but now in your highneſs's happy reign firſt extended unto the remote parts of this country; doth ſo much the more affright and diſquiet the minds of your well affected ſubjects here, eſpecially, they conceiving, that by this means, thoſe that are moſt ſufficient and fit to exerciſe and execute thoſe offices and places are ſecluded and removed, and they driven to make choice of others conformable in that point, but otherwiſe very unfit and uncapable to undertake the charges, being generally of the meaner ſort. Now whether it conduceth to the good of your eſtate, hereby to ſuffer the ſecret, home, evil affected ſubjects (of whom we wiſh there were none) to be tranſported with hope and

expectation

expectation of the effects, which a general diſcontentment might in time produce, and to give ſcope to the rebells diſcontented of this nation abroad, to calumniate and caſt an aſperſion upon the honour and integrity of your highneſs's government, by diſplaying in all countries, kingdoms, and eſtates, and inculcating into the ears of foreign kings and princes the foulneſs (as they will term it) of ſuch practizes, we humbly leave to your majeſty's moſt ſacred, high, and princely conſideration. And ſo, upon the knees of our loyal hearts do humbly pray, that your highneſs will be graciouſly pleaſed not to give way to courſes, in the general opinion of your ſubjects here ſo hard and exorbitant, as to erect towns and corporations of places conſiſting of ſome few poor beggarly cottages, but that your highneſs will give direction, that there be no more created, till time, or traffick and commerce, do make places in the remote and unſettled countries here fit to be incorporated, and that your majeſty will benignly content yourſelf with the ſervice of underſtanding men to come as knights of the ſhire out of the chief countries to the parliament. And to the end, to remove from your ſubjects hearts thoſe fears and diſcontents, that your highneſs further will be graciouſly pleaſed to give order, that the proceedings of this parliament may be with the ſame moderation and indifferency as your moſt royal predeceſſors have uſed in like caſes heretofore; wherein moreover, if your highneſs ſhall be pleaſed, out of your gracious clemency to withdraw ſuch laws, as may tend to the forcing of your ſubjects conſciences here in matters concerning religion, you ſhall ſettle their minds in a moſt firm and faithful ſubjection. The honour, which your majeſty, in all your actions and proceedings, hath hitherto ſo well maintained, the renown of your highneſs's tranſcendant underſtanding in matters of eſtate and government, and in particular the exemplary preſident of your majeſty's never-to-be forgotten moderation, in not deſcending to ſuch extraordinary courſes for effecting the union of both kingdoms ſo much deſired, doth give us full hope and aſſurance, that your highneſs will duely weigh and take in good worth theſe conſiderations by us layed down, and moſt graciouſly grant this our humble ſubmiſſive ſuit, in which hope we do, and will always remain, your majeſty's moſt humble and dutiful ſubjects,

GORMANSTON,
CHR. SLANE,
KILEEM,
ROB. TRIMBLETTSTOWN,
PATRICK DUNSANY,
MA. LOWTH.

Dublin, 25 Nov. 1612.

No. XVI.

Remonſtrance of divers Lords of the Pale to the King concerning the Iriſh Parliament in 1613. (*P.* 111.)

MAY it pleaſe your majeſty, ſuch is the exceſſive grief and anxiety of mind and conſcience, which we, the nobility of this your highneſs's kingdom, whoſe names are here under-written, do conceive, by the more prepoſterous courſes holden in parliament, as we muſt be inforced, before we deſcend further, moſt humbly with tears to emplore your gracious favour, that if the due regard of your majeſty's ſacred honour, the careful conſideration of the good peace and tranquility of this your realm and country, the tender and feeling reſpect of our bounden and obliged duty to both, do carry us in aught beyond the limits of a well tempered moderation, your highneſs will be graciouſly pleaſed to pardon our exceſs herein, ſo far as *pius dolor et iracundia*, do in themſelves deſerve. It would far paſs the compaſs of a letter, if we ſhould inſiſt to particularife the manifeſt, old, precedent diſorders, and ſuch, as ſtill do accompany this intended action; only your highneſs ſhall underſtand, that many knights from counties, and citizens, and burgeſſes from cities and towns, have, contrary to the true election, been returned; and in ſome places force, and in many others, fraud, deceit, and indirect means have been uſed for effecting of this ſo lawleſs a courſe of proceeding. Neither can we but make known unto your majeſty, that under pretence of erecting towns in places of the new plantation, more corporations have been made ſince the beginning of laſt month or little more, than are returned out of the whole kingdom; beſides the number whereof (as we conceive it) contrary to your highneſs's intended purpoſe, are diſperſed throughout all parts of this kingdom; and that in divers places, where there be good ancient boroughs, and not allowed to ſend burgeſſes to the parliament, and yet theſe new created corporations, for the moſt part are ſo miſerable and beggarly poor, as their *tuguria* cannot otherwiſe be holden or denied than as *tituli ſine, et figmenta in rebus*; for divers of which (their extreme poverty being not able to defray the charges of burgeſſes, nor the places themſelves to afford any one man fit to preſent himſelf in the pooreſt ſociety of men) and for others, we muſt confeſs, that ſome of great faſhion have not ſticked to abaſe themſelves to be returned: the lord deputy's ſervants, attornies, and clerks,

clerks, reſident only in the city of Dublin, moſt of them having never ſeen or known the place, for which they were returned, and others of contemptible life and carriage. And what outrageous violence was offered yeſterday to a grave gentleman, whom men of all ſorts that know him, do and will confeſs to be both learned, and grave, and diſcreet, free from all touch and imputation, and whom thoſe of the lower houſe, to whom no exceptions could be taken, had choſen to be their ſpeaker, we leave, for avoiding tedioufneſs to your highneſs, to their own further declaration. And foraſmuch as, moſt renowned and dread ſovereign, we cannot in any due proportion of reaſon, or juſtice expect redreſs in theſe our diſtreſſed calamities, where many of thoſe, who repreſent the body of our eſtate, were the chief authors of them, upon the knees of our loyal and ſubmiſſive hearts we humbly pray, that it would pleaſe your majeſty to admit ſome of us to the acceſs of your royal preſence; where, if we fail in the leaſt point of theſe our aſſertions, and declarations of other evils, which do multiply in this eſtate, we willingly ſubmit ourſelves to any puniſhment, as deſerved, which it ſhall pleaſe your highneſs to lay and inflict upon us. For we are thoſe, by the effuſion of whoſe anceſtor's blood, the foundation of that empire, which we acknowledge your highneſs, by the laws of God and man to have over this kingdom and people, was firſt laid, and in many ſucceeding ages preſerved. To us it properly appertaineth, both in the obligation of public duty and private intereſt, to heed the good thereof, who never laid the foundation of our hopes upon the diſturbance of it, garboils and diſſentions being the downfal of our eſtate, as ſome of us now living can witneſs, and therefore we cannot, but out of the conſideration of our bounden duty and allegiance, make known unto your highneſs the general diſcontent, which thoſe ſtrange, unlooked for, and never heard of courſes particularly have bred; whereof, if the rebellious and diſcontented of this nation abroad do take advantage, and procure the evil-affected at home, which are numbers by reaſon of that already ſettled, and intended plantation in any hoſtile faſhion to ſet diſorders on foot, and labour ſome underhand relief from any prince or eſtate abroad, who peradventure might be inveigled, and drawn to commiſſerate their pretended diſtreſſes and oppreſſions; however, we are aſſured the proweſs and power of your majeſty in the end, will bring the authors thereof to ruin and confuſion; yet it may be attended with the effuſion of much blood, exhauſting of maſſes of treaſure, the expoſing of us, and others your highneſs's well affected

ſubjects, to the hazard of poverty, whereof the memory is very lively and freſh among us, and finally, to the laying open of the whole commonalty to the inundation of all miſeries and calamities, which garboils, civil war, and diſſentions, do breed and draw with them, in a rent and torn eſtate. For preventing whereof, we nothing doubt but your majeſty will give redreſs, by the equal balance of your highneſs's juſtice, which we beſeech the Almighty with your royal perſon, ever to maintain and preſerve.

Your majeſty's moſt faithful ſubjects,

David Buttevant,	Killine,	James Dunboyne,
Gormonſton,	Delvin,	Matthew Louth,
Da. Roche Fermoy,	Chriſtopher Slane,	Thomas Cahyr.
Montgarret,	Robert Trymbelſton,	

May 19, 1613.

No. XVII.

The Speech of James the Firſt to the Lords of the Council at Whitehall, on the 21ſt of September, 1613, *in the preſence of the Iriſh Agents.* (*P.* 111.)

My Lords,

THESE noblemen and gentlemen of Ireland are called hither this day to hear my concluſion and determination in a cauſe of great conſequence, which hath depended long in trial. Thus far it hath had formality; for it is a formality, that kings hold in all proceſſes of importance, to proceed ſlowly, to give large hearing, and to uſe long debate, before they give their ſentence. Theſe gentlemen will not deny that I have lent them my own ear, and have ſhewed both patience and a deſire to underſtand their cauſe at full: It reſteth now, that we make a good concluſion, after ſo long debate.

It is a good rule to obſerve three points, in all weighty buſineſſes; long and curious debate, grave and mature reſolution, and ſpeedy execution. The firſt is already paſt; the ſecond is to be performed this day; and the laſt muſt follow as ſoon as conveniently may be.

I promiſed to theſe noblemen and gentlemen of the recuſant party of parliament

parliament, juſtice with favour; let them ſee whether I have performed my promiſe: ſure I am, but for performance of that promiſe, I ſhould not have given ſuch patient hearing, nor made ſuch a curious ſearch into the cauſes of their complaints, neither ſhould I make ſuch a concluſion as I am now like to make of this buſineſs.

In the ſearch (though I doubted not of the honour and juſtice of the lord deputy's government) yet I dealt not with him as with my ſervant, not as with one the moſt unreprovable governor, that ever was in that kingdom (as ſome of yourſelves have acknowledged him to be to myſelf) but as with a party: but after the commiſſioners had heard all that could be alledged, I found him indeed a faithful ſervant by their certificate, which was *Concluſio in Cauſâ.*

The gentlemen I ſent were ſuch as no exception could be taken againſt them, ſome were never there before; ſome, ſo long ſithence, that *rerum facies fuit mutata*, ſince they lived in that kingdom.

It reſts me now to ſet down my concluſion; but before I declare my judgment, I will ſpeak of ſome things offered by you the recuſant half-body, which are called parliament-recuſants. I have heard of church-recuſants, but not of parliament-recuſants; this difference was never before heard of.

Firſt, the letter you ſent unto me the beginning of the parliament was full of pride and arrogance, wanting much of the reſpects, which ſubjects owe their ſovereign.

Now if I ſhould do you juſtice, I ſhould take you at your word, lay together your offer in your letters, and the articles, which my attorney laid open unto you, then ſhall you ſee your caſe.

For you made offer, that if you failed to prove any one point of that, which was contained in your complaint, you would renounce my favour in all; yet have you ſcarce proved a word true; but, on the other ſide, almoſt every point hath been proved contrary.

Of fourteen returns whereof you complain, but two have been proved falſe, and in the government nothing hath been proved faulty, except you would have the kingdom of Ireland like the kingdom of Heaven.

But commonly offenders are moſt bold to make offers of their innocency; for they (being in a paſſion) begin in heat, and continue in heat, but when they ſee themſelves in the glaſs of their own vanity, they find their error.

And

And this I have found in my own experience in Scotland, and ſince my coming hither.

Now I will divide my ſpeech in two parts, touching the offences done by you, and your complaints againſt the ſtate and government.

To the firſt, an unuſual favour was offered you by my deputy, for he ſent for you, and adviſed you to conſider what laws were fit to be propounded for that commonwealth, and offered to concur with you. Your anſwer ſhould have been humble thanks on your knees, but you neglected that favour, and anſwered by your agent in the name of the reſt, that you would firſt be made acquainted with ſuch bills as the deputy and council there had reſolved to tranſmit.

Before the parliament, there was ſent to me by a few men a letter, raſh and inſolent, that nothing ſhould be purſued in parliament, but you ſhould be acquainted with it, and withal threatening me with rebellion in a ſtrange faſhion, with ſimilitudes unſavoury and unmannerly, and unfit to be preſented to any monarch; and after that, you did nothing but heap complaint upon complaint, till the parliament was ſat down.

The parliament being ſat, you went on with a greater contempt: there were in the lower houſe two bodies, and but one head, a greater monſter than two heads upon one body. And whereas you ſhould have made an humble and dutiful anſwer to the commendation, which I made of a ſpeaker, you the recuſant-party (being the fewer) when the greater number went out to be numbered, ſhut the door, and thruſt one into the chair as a ſpeaker *manu forti*. After this, the recuſants of both houſes depart from the parliament. The like was never heard of in France, Spain, or any other kingdom of Chriſtendom.

Then came petitions to the deputy of a body without a head, a headleſs body: you would be afraid to meet ſuch a body in the ſtreets: a body without a head to ſpeak, nay, half a body; what a monſter were this, a very bugbear! Methinks you, that would have a viſible body head of the church over all the earth, and acknowledge a temporal head under Chriſt, ye may likewiſe acknowledge my viceroy or deputy of Ireland.

Then did the deputy give you warning to come to the parliament, to paſs the bill of Recognition, but that you put it off with tricks and ſhifts, which thing I will urge no farther; but why ſhould the lords refuſe to come? They had

had no colour of abſenting themſelves, having nothing to do with the orders or diſorders of the lower houſe; the lords here, and the lower houſe, are as great ſtrangers in theſe matters, as the parliament houſes of Spain and France; neither had the recuſants of the lower houſe any juſt cauſe of defection, ſince an indifferent committee was offered to them.

This was ſuch an ill example, and ſuch a crime, to refuſe to appear at the king's ſummons, as if you ſhould adviſe with lawyers upon it, I know not what it may impart: after this, hither you came, and only your appeal to me hath inclined me to mercy, yet I ſpeak not this to encourage your complaints to be brought hither, when the deputy and ſtate may determine them, though this being a matter of parliament, was fit for the king's hearing, and your appeal hath been heard and heard *uſq; ad nauſeam.*

And whereas it ſhould have wrought humility and thanks, the fruit hath been, that (I will not ſay in a prepoſterous, but) in a rebellious manner, you have heaped complaints upon complaints, and petitions upon petitions, not warranted with any truth, to make the more noiſe, whereas you ſhould have looked back to your own miſcarriages.

Then I ſent commiſſioners to examine, as well the by as the main buſineſs, which you firſt preſented to be the cauſe of your appealing to me, but, inſtead of thanks for that favour, there came yet more new complaints, which, becauſe the council here have already anſwered, I will not ſpeak of.—Now if you look back to your own miſcarriages, and my lenity, you ſhall find, that your carriage hath been moſt undutiful and unreaſonable, and in the next degree to treaſon, and that you have nothing to fly to but my grace.

The lower houſe here in England doth ſtand upon its privileges as much as any council in Chriſtendom, yet, if ſuch a difference had riſen there, they would have gone on with my ſervice notwithſtanding, and not have broken up their aſſembly upon it. You complain of fourteen falſe returns. Are there not many more complained of in this parliament, yet they do not forſake the houſe for it? Now, for your complaint's touching parliament matters, I find no more amiſs in that parliament, than in the beſt parliament in the world; eſcapes and faults of ſheriffs there may be, yet not proved; or if it had been proved, no cauſe to ſtay the parliament, all might have been ſet right by an ordinary courſe or trial, to which I muſt refer them. But you complain of the new boroughs, therein I would fain feel your pulſe, for yet I find not where the ſhoe wrings. For, firſt, you queſtion the power of the king,

king, whether he may lawfully make them? And then you queſtion the wiſdom of the king and his council; in that you ſay, that there are too many made. It was never before heard, that any good ſubjects did diſpute the king's power in this point. What is it to you, whether I make many or few boroughs; my council may conſider the fitneſs, if I require it; but what if I had made forty noblemen, and four hundred boroughs, the more the merrier, the fewer the better cheer. But this complaint, as you made it, was prepoſterous, for in contending for a committee, before you agreed of a ſpeaker, did put the plough before the horſe, ſo as it went on untowardly like your Iriſh ploughs; but becauſe the eyes of the maſter maketh the horſe fat, I have uſed my own eyes in taking a view of thoſe boroughs, and have ſeen a liſt of them all. God is my judge, I find the new boroughs, except one or two, to be as good as the old, comparing Iriſh boroughs new with Iriſh boroughs old (for I will not ſpeak of the boroughs of other countries); and yet, beſides the neceſſity of making them, like to increaſe and grow better daily; beſides, I find but few erected in each county, and in many counties but one borough only, and thoſe erected in fit places near forts or paſſages for the ſafety of the country: methinks you, that ſeek the good of the kingdom, ſhould be glad of it.

I have cauſed London alſo to erect boroughs there, and when they are throughly planted, will be a great ſecurity to that part of the kingdom; therefore you quarrel with that, which may bring peace to the countrey, for the perſons, returned out of thoſe boroughs, you complain they have no reſidence, if you had ſaid they had no intereſt, it had been ſomewhat; but moſt of them have intereſt in the kingdom, and *qui habent intereſſe*, are like to be as careful as you for the weal thereof.

I ſeek not *emendicata ſuffragia*, ſuch boroughs as have been made ſince the ſummons are wiped away at one word for this time, I have tried that, and done you fair play, but you that are of a contrary religion, muſt not look to be the only *Law-makers*; you are but half ſubjects, ſhould have but half privilege; you that have an eye to me one way, and to the Pope another way, the Pope is your father *in ſpiritualibus*, and I *in temporalibus* only, and ſo have your bodies torn one way, and your ſouls drawn another; you that ſend your children to the ſeminaries of treaſon, ſtrive henceforth to become full ſubjects, that you may have *cor unum*, and *viam unam*, and then I ſhall reſpect you all alike; but your Iriſh prieſts teach you ſuch grounds of doctrine, as

you

you cannot follow them with a ſafe conſcience, but you muſt caſt off your loyalty to your king.

Touching the grievances whereof you have complained, I am loath to ſpend breath in them; if you charge the inferior miniſters of the country, all countries are ſubject to ſuch grievances; if you charge the deputy and ſtate, *nihil probatur*. Indeed I hear (not from you, but from others) there is one thing grievous to the country; that notwithſtanding the compoſition eſtabliſhed in the province, the governours there do ſend out their purveyors, who take up their âchates, and other proviſion upon the country: if this had been complained of to the deputy, or to me, it had been reformed, the deputy himſelf at Dublin doth not grieve the country with any ſuch burden.

Another thing there is, that grieveth the people, which is that in the country, where there is half peace and half war, the ſheriffs and ſoldiers in their paſſage do commit many extortions.

For theſe grievances, I myſelf will call the deputy unto me, and ſet down ſuch orders in this time of vacation, as theſe abuſes ſhall be redreſſed and clear taken away; and if any ſuch diſorder be ſuffered hereafter, it ſhall be only be for fault of complaining; and becauſe the meaner ſort will perhaps fear to complain, I would have ſuch gentlemen of the country, as are of beſt credit, to preſent complaints, which they may do in ſuch manner as the parties who prefer the complaints may not be known.

There is a double cauſe, why I ſhould be careful of the welfare of that people: firſt as King of England, by reaſon of the long poſſeſſion the crown of England hath had of that land; and alſo as King of Scotland, for the ancient Kings of Scotland are deſcended of the Kings of Ireland, ſo as I have an old title as King of Scotland, therefore you ſhall not doubt to be relieved when you complain, ſo as you will proceed without clamour. Moreover my care hath been, that no acts ſhould be preferred that ſhould be grievous to the people; and to that end I peruſed them all except one, that I ſaw not till of late, that is now out of door, for I proteſt I have been more careful for the bills to be paſſed in that parliament, than in the parliament of England.

Laſtly, for imputations that may ſeem to touch the deputy, I have found nothing done by him, but what is fit for an honourable gentleman to do in his place, which he hath diſcharged as well as any deputy did, and divers of you have confeſſed ſo to me, and I find your complaints againſt him, and the ſtate, to be cauſeleſs expoſtulations.

To conclude, my ſentence is, that in the matter in parliament, you have carried yourſelves tumultuarily and undutifully, and that your proceedings hath been rude, diſorderly, and inexcuſable, and worthy of ſevere puniſhment; which by reaſon of your ſubmiſſion I do forbear, but not remit, till I ſee your dutiful carriage in this parliament; where by your obedience to the deputy and ſtate, and your future good behaviour, you may redeem your bypaſt miſcarriage, and then you may deſerve not only pardon, but favour and cheriſhing.

No. XVIII.

The Judgment of divers of the Archbiſhops and Biſhops of Ireland concerning Toleration of Religion. (*Page* 116.)

THE religion of the Papiſts is ſuperſtitious and idolatrous, their faith and doctrine erroneous and heretical, their church, in reſpect of both, apoſtatical: to give them therefore a toleration, or to conſent, that they may freely exerciſe heir religion, and profeſs their faith and doctrine, is a grievous ſin, and that in two reſpects: for, firſt, it is to make ourſelves acceſſary not only to their ſuperſtitions, idolatries, and hereſies, and, in a word, to all the abominations of Popery; but alſo (which is a conſequent of the former) to the perdition of the ſeduced people, which periſh in the deluge of the Catholic apoſtacy.

Secondly, To grant them a toleration in reſpect of money to be given, or contribution to be made by them, is to ſet religion to ſale, and with it the ſouls of the people, whom Chriſt our Saviour hath redeemed with his moſt precious blood. And as it is a great ſin, ſo it is alſo a matter of moſt dangerous conſequence; the conſideration whereof we commit to the wiſe and judicious, beſeeching the God of truth to make them who are in authority zealous of God's glory, and the advancement of true religion: zealous, reſolute, and courageous againſt Popery, ſuperſtition, and idolatry. Amen.

Ja. Armachanus,	Ro. Dunenſis,	Tho. Kilmore and Ardagh,
Mal. Caſellen,	Georg. Derenſis,	Theo. Dromore,
Anth. Medenſis,	Richard Cork, &c.	Mic. Waterford and Liſmore,
Tho. Fern and Leghlin	Andr. Alachdens,	Fra. Limerick.

No.

No. XIX.

Abſtract of the Report and Return of Commiſſioners ſent by the King to Ireland, to enquire into the Grievances and Complaints of the Iriſh, in 1613. (*Page* 121.)

UPON our arrival in Dublin, the 11th of September, we cauſed his majeſty's commiſſion and inſtructions to be inrolled, and preſently directed our letters to the governors of Munſter and Conaught, as alſo to divers lords, archbiſhops, and biſhops, and to ſeveral of the ſheriffs of counties, and others, concerning the articles of the ſaid inſtructions, whereby our arrival, and the cauſe of our employment were made known to the people in moſt parts of the kingdom.

Yet during the ſpace of one month, at the leaſt, after our landing, no one petition was exhibited to us complaining of any grievances. Nevertheleſs, afterwards, upon the coming over of the Lord Killeene and Sir Chriſtopher Plunket, two of the late petitioners to his majeſty, they exhibited unto us particular inſtances of oppreſſion and exactions by ſoldiers, provoſt-marſhals, and ſome others, ſpecially thoſe that reſide neareſt the ſtate; out of which particulars, being many, we ſelected threeſcore or thereabouts, as meeteſt to be examined; whereby we might diſcern, what were the ſeveral kinds of the ſoldiers oppreſſions towards the people; for proof of which ſelected articles, divers days were aſſigned to them to produce their witneſſes: at which time ſome of the captains of horſe and foot, provoſt marſhals, and ſome of their ſoldiers we warned to appear before us, and thereupon we proceeded in the preſence of the Lord Killeene and Sir Chriſtopher Plunkett, and ſome of the parties grieved, and we proceeded to a ſummary examination of thoſe diſorders, and by theſe examinations, and by other means, it doth appear unto us, that the ſoldiers, both horſe and foot, have extorted upon his majeſty's ſubjects in manner following: Firſt, in all their journies and thoroughfares, where, by their warrant from the lord deputy, they are commanded to take meat and drink in the country, paying ready money, or giving tickets for the ſame; the ſoldiers, nevertheleſs, for the moſt part, neither pay money, nor give tickets, as they ought to do; and in caſes where the collectors receive tickets for the payment of the country for victualling of ſoldiers, they,

and ſometimes perſons authoriſed by the principal gentlemen of the country, do get theſe tickets into their hands, and obtain payment from his majeſty's treaſurer, and ſeldom make diſtribution thereof to the poorer ſort to whom it is due.

The ſoldiers, where they are ceſſed, do extort money from the poorer people (beſides meat and drink), for every night's lodging three ſhillings for a horſe-man, and two ſhillings for a foot-man, ſometimes more and ſometimes leſs; and certain petty ſums are alſo taken for their boys and attendance, beſides victuals, and it happeneth ſometimes, that the ſoldiers that take ceſs, take money, as well for themſelves as for other ſoldiers abſent, which the country call black men, becauſe they are not ſeen; and ſometimes ſoldiers in pay, and others diſcharged out of pay, and divers vagrants in the name of ſoldiers, take meat and money of the people without warrant or after the date of their warrant is expired, in extortious manner, by two or three or more in company. And in all theſe caſes, when the people have not money to pay them, they take divers times, forcibly, either ſome of their cattle, or ſome of their houſhold ſtuff for pawns in lieu thereof, whereby breach of peace and affrays are occaſioned.

Likewiſe the ſoldiers, although they be always enjoined by the lord deputy's warrant to paſs to and fro the direct way in their journies, yet do they ſometimes make a circular and long courſe in their thoroughfare, whereby they ceſs and hurt the people, more days than is limited unto them, or is requiſite for their journey.

Alſo the ſoldiers in their journies, being ceſſed in ſmall numbers in villages by the collectors, according to the ability of the places, they do ſometimes take money in the towns, wherein they are aſſigned to take their lodgings and victuals, and depart the ſame and lodge themſelves, without warrant, near the ſame place, whereby the people bear a double charge.

Moreover it appeareth, that ſome officers of bands have taken monies of townſhips, to forbear to ceſs upon them in their journies, and have ceſſed upon the towns not far diſtant from thence; and theſe exactions are committed by ſoldiers in counties where the compoſition in lieu of ceſs is paid, as in other places, wherein is to be obſerved, that by the tenor of the compoſition, the counties are to victual the ſoldiers in their paſſage at uſual rates, a matter reſerved for neceſſity of ſtate.

The

The ſoldiers do not only commit theſe abuſes in their thoroughfares, but when they are ſent into the country upon other employments.

The provoſt marſhal (whereof there is one at leaſt in every province) has likewiſe certain men to attend him, who do exact victuals and money in their paſſage up and down the country from the people, and commit other diſorders as ſoldiers do, which extortions have been committed by the ſoldiers and the reſt of themſelves, without any warrant at all, or connivance of any, ſo far as hath appeared unto us.

And notwithſtanding theſe oppreſſions in theſe kinds are very many (as may be ſeen by their informations to us exhibited from divers parts of the kingdom), yet, for any thing appearing unto us, very few have complained thereof to the lord deputy; who, upon their complaints, hath given order for redreſs of ſuch grievances, as hath been manifeſted unto us.

The reaſons therefore the people pretend to have forborn to make their complaints, is the fear they have had to be worſe uſed by the ſoldiers complained of at other times, and that the charges of complaint would far have exceeded their damages and loſſes, although they cannot deny but the lord deputy hath given as eaſy acceſs and as ſpeedy remedy as hath been given by former governors.

The names of ſome few ſoldiers, that are offenders in theſe kinds, and are yet in pay, appear in our examinations, others are dead or diſcharged, and in many of the complaints againſt ſoldiers, their names are not known to the parties, neither have the ſoldiers or others complained to us for want of pay by theſe captains, although ſome of them have been by us required publicly to deliver us their knowledge therein. There be divers complaints againſt ſheriffs in general, namely, that ſundry ſheriffs have no freehold, or habitation, in the counties for which they ſerve, as they ought to have by the laws of the kingdom; alſo that divers of them have no ſettled eſtates of land or freehold in other places; and having gathered rents, and other duties for his majeſty, they depart without paſſing their accounts, which appeareth to be true: and the reaſon thereof is affirmed to be, that in the civileſt countries in the Engliſh Pale, and in other counties within the kingdom, there are found very few Proteſtants that are freeholders of quality fit to be ſheriffs, and that will take the oath of ſupremacy, as by the laws they ought to do; and by the lord deputy's order, no ſheriff is admitted till he enter into ſufficient bond for anſwering his accounts.

It is likewiſe a grievance complained of, and found true, that many ſheriffs, eſpecially thoſe of the meaner ſort, do ſuffer their men, bailiffs, and followers to take victuals of the country, for themſelves, without money, and ſometimes both money and victuals, and that in gathering in his majeſty's rents, and the fines for uſing the ſhort ploughs, and other impoſitions, as building of bridges, and ſuch like, they do take of the people, beſides the principal duties twelve pence in the pound, and ſometimes greater ſums, for their private uſes, for which the ſheriffs give no reaſon, but the ſame is taken towards their charges in collecting thoſe duties, in regard of the little benefit which their office otherwiſe yieldeth, &c.

No. XX.

The Subſtance of the Remonſtrance of the Commons, to the Lord Deputy Wentworth, in 1695. (*Page* 124.)

THAT ſenſibly apprehending the manifold inconveniences, that had befallen the kingdom, through the uncertainty of eſtates, occaſioned by the embezzling, burning and defacing of records, in times looſe and uncertain, troubled with continual war, untill the beginning of his late majeſty's happy reign; and encreaſed by the negligence or ignorance of ſundry perſons heretofore employed in paſſing of patents and eſtates from the crown; whereby many errors in law crept into theſe grants, whereof divers indigent perſons, with eagle-eyes piercing thereunto, commonly took advantage, to the utter overthrow of many noble and deſerving perſons, who, for valuable conſiderations of ſervice to the crown, or for money, or for both, honourably and fairly acquired their eſtates. That, therefore, finding in themſelves a ſenſible feeling of theſe and other grievances, they had received unſpeakable pleaſure from his majeſty's princely care and tender affection towards them, expreſſed in the graces tranſmitted over by their laſt agents, and on his royal word, the beſt of aſſurance, and his princely ſignature, which he had been graciouſly pleaſed to paſs unto them, to cauſe the ſaid graces to be enacted in the next enſuing parliament; that they could not ſuffice only to diſcharge their duty to his majeſty, or the truſt repoſed in them by their country, unleſs they were careful in theſe great affairs, to conſerve the honour of his majeſty's word

word, inthat reſpect, paſſed unto them his people, who had heretofore, by their ſaid agents, preſented a free gift of one hundred and twenty thouſand pounds to his majeſty, and one hundred and fifty thouſand pounds loan-money or contribution, by them forgiven, and forty thouſand pounds in theſe two laſt years, contributed by the country, amounting in the total to three hundred and ten thouſand pounds, exceeding in proportion their abilities, and the precedents of paſt ages, &c.

Wherefore, they moſt humbly prayed, that his lordſhip would place the ſtatute, 21ſt Jacobi, entitled An Act for the general Quiet of the Subject againſt Concealment, in the firſt Tranſmiſſion of Laws in England; the ſaid grace being particularly promiſed by his majeſty, approved by both the councils of eſtate in England and Ireland, and publiſhed in all the counties in Ireland at the general aſſizes, and moſt expected of all the other graces. And that he would pleaſe to certify their univerſal conſent, and much longing deſire, to have the ſaid ſtatute of 21ſt Jacobi, and the reſt of the ſaid graces, perpetuated by acts to be paſſed in that parliament.

No. XXI.

(*Page* 128.)

TO THE RIGHT HONOURABLE THE LORD DEPUTY.

The humble and juſt Remonſtrance of the Knights, Citizens, and Burgeſſes, in Parliament aſſembled,

SHEWING,

THAT in all ages paſt ſince the happy ſubjection of this kingdom to the imperial crown of England, it was made and is a principal ſtudy and princely care of his majeſty and his noble progenitors, Kings and Queens of England and Ireland, to the vaſt expence of treaſure and blood, that their loyal and dutiful people of this land of Ireland, being now for the moſt part derived from Britiſh anceſtors, ſhould be governed according to the municipal and fundamental laws of England; that the ſtatute of *Magna Charta*, or the great charter of the liberties of England, and other laudable laws and ſtatutes were in ſeveral parliaments here enacted and declared, that by

by the means thereof, and of the moſt prudent and benign government of his majeſty and his royal progenitors, this kingdom was, untill of late, in its growth to a flouriſhing eſtate, whereby the ſaid people were heretofore enabled to anſwer their humble and natural deſires, to comply with his majeſty's royal and princely occaſions, by their free gift of one hundred and fifty thouſand pounds ſterling, and likewiſe by another gift of one hundred and twenty thouſand pounds more, during the government of Lord Viſcount Faulkland; and after, by the gift of forty thouſand pounds, and their free and chearful gift of ſix intire ſubſidies, in the tenth year of his majeſty's reign; which, to comply with his majeſty's then occaſions, ſignified to the then Houſe of Commons, they did allow ſhould amount in the collections unto two hundred and fifty thouſand pounds, although (as they confidently believe) if the ſaid ſubſidies had been levied in a moderate parliamentary way, they would not have amounted to much more than half the ſaid ſum, beſides the four entire ſubſidies granted in this preſent parliament. So it is, may it pleaſe your lordſhip, that by occaſion of enſuing and other grievances and innovations, (though to his majeſty no conſiderable profit) this kingdom is reduced to the extream and univerſal poverty, that the ſame is now leſs able to pay ſubſidies, than it was heretofore to ſatisfie all the before-recited great payments. And his majeſty's moſt faithful people of the ſame land do conceive great fears, that the ſaid grievances, and conſequences thereof, may hereafter be drawn into precedents, to be perpetuated upon their poſterity; which, in their great hopes, and ſtrong beliefs they are perſuaded, is contrary to his majeſty's royal and princely intention towards his ſaid people: ſome of which ſaid grievances are as followeth:

1ſt. The general apparent decay of trades, occaſioned by the new and illegal raiſing of the book of rates, and impoſitions as twelve pence a piece cuſtom for hides bought for four or five ſhillings, and other heavy impoſitions upon native and other commodities, exported and imported, by reaſon whereof and of extreme uſage and cenſure, merchants are beggared, and both diſenabled and diſcouraged to trade, and ſome of the honourable perſons, who gain thereby are often judges and parties; and that it is the concluſion his majeſty's profit thereby is not conſiderably advanced.

2dly. The arbitrary deciſion of all civil cauſes and controverſies, by paper petitions, before the lord lieutenant and lord deputy, and infinite other judicatories upon reference from them derived, in the nature of all actions determinable

minable at the common law, not limited unto certain time, ſeaſon, cauſe, or thing whatſoever; and the conſequences of ſuch proceedings, by receiving immoderate and unlawful fees by ſecretaries, clerks, purſuivants, ſerjeants at arms, and otherwiſe, by which kind of proceedings his majeſty loſeth a conſiderable part of his revenue, upon original writs and otherwiſe; and the ſubject loſeth the benefit of his writ of error, bill of reverſal, vouchers, and other legal and juſt advantages, and the ordinary courſe and courts of juſtice declined.

3dly. The proceedings in civil cauſes at council-board, contrary to the law and great charter, not limitted to any certain time or ſeaſon.

4thly. That the ſubject is, in all the material parts thereof, denied the benefit of princely graces; and more eſpecially of the ſtatute of limitations of 21 Jacobi, granted by his majeſty in the fourth year of his reign, upon great advice of the councils of England and Ireland, and for great conſideration, and then publiſhed in all the courts of Dublin, and in all the counties of this kingdom, in open aſſizes, whereby all perſons do take notice, that, contrary to his majeſty's pious intentions, his ſubjects of this kingdom have not enjoyed the benefit of his majeſty's princely promiſe thereby made.

5thly. The extrajudicial avoiding of letters patents of eſtates of a very great part of his majeſty's ſubjects under the great ſeal, (the publick faith of the kingdom) by private opinions delivered at the council-board, without legal evictions of their eſtates, contrary to law, and without precedent or example of any former age.

6thly. The proclamation for the ſole emption and uttering of tobacco, which is bought at very low rates, and uttered at high and exceſſive rates; by means whereof, thouſands of families within this kingdom, and of his majeſty's ſubjects in ſeveral iſlands, and other parts of the Weſt-Indies, (as your petitioners are informed) are deſtroyed, and the moſt part of the coin of this kingdom is engroſſed into particular hands, inſomuch, as the petitioners do conceive, that the profit ariſing and engroſſed thereby doth ſurmount his majeſty's revenue, certain or caſual, within this kingdom, and yet his majeſty receiveth but very little profit by the ſame.

7thly. The unuſual and unlawful encreaſing of monopolies, to the advantages of a few, the diſprofit of his majeſty, and impoveriſhment of his people.

8thly. The extreme cruel uſage of certain late commiſſioners, and others the inhabitants of the city and county of London-Derry; by means whereof,

the worthy plantation of that country is almoſt deſtroyed, and the ſaid inhabitants are reduced to great poverty, and many of them forced to forſake the country; the ſame being the firſt and moſt uſeful plantation in the large province of Ulſter, to the great weakening of the kingdom in this time of danger, the ſaid plantation being the principal ſtrength in thoſe parts.

9thly. The late erection of the court of high commiſſion for cauſes eccleſiaſtical, in theſe neceſſitous times, the proceedings of the ſaid court in many cauſes without legal warrant, and yet ſo ſupported, as prohibitions have not been obtained, though legally ſought for; and the exceſſive fees exacted by the miniſters thereof, and the encroaching of the ſame upon the juriſdiction of other eccleſiaſtical courts of this kingdom.

10thly. The exorbitant and barbarous fees and pretended cuſtoms exacted by the clergy, againſt the law, ſome of which have been formerly repreſented to your lordſhip.

11thly. The petitioners do moſt heartily bemoan, that his majeſty's ſervice and profit are much more impaired than advanced by the grievances aforeſaid; and the ſubſidies granted in the laſt parliament having much increaſed his majeſty's revenue, by the buying of grants and otherwiſe: and that all his majeſty's debts then due in this kingdom, were ſatisfied out of the ſaid ſubſidies, and yet his majeſty is of late (as the petitioners have been informed in the Houſe of Commons) become indebted in this kingdom in great ſums.

And they therefore humbly beſeech, that an exact account may be ſent to his majeſty, how and in what manner his treaſure is iſſued.

12thly. The petitioners do humbly conceive juſt and great fears at a proclamation publiſhed in this kingdom in *anno Domini* 1635, prohibiting men of quality or eſtates to depart this kingdom into England without the lord deputy's licence, whereby the ſubjects of this kingdom are hindred and interrupted from free acceſs and addreſs to his ſacred majeſty and privy council of England, to declare their juſt grievances, or to obtain remedies for them in ſort as their anceſtors have done in all ages ſince the reign of King Henry the Second, and great fees exacted for every of the ſaid licences.

13thly. That of late his majeſty's attorney-general hath exhibited informations againſt many ancient boroughs of this kingdom into his majeſty's court of Exchequer, to ſhew cauſe by what warrant the ſaid boroughs (who heretofore ſent burgeſſes to the parliament) ſhould ſend the ſaid burgeſſes to parliament: and thereupon, for want of an anſwer, the ſaid privileges of

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ſending burgeſſes were ſeiſed by the ſaid court: which proceedings were altogether *coram non judice*, and contrary to the laws and privileges of the Houſe of Parliament, and (if way ſhould be given thereunto) would tend to the ſubverſion of parliaments, and, by conſequence, to the ruin and deſtruction of the commonwealth.

And the Houſe of Commons hath hitherto in this preſent parliament been deprived of the advice and council of many profitable and good members, by means thereof.

14thly. That by the powerfulneſs of ſome miniſters of ſtate in this kingdom, the parliament in its members and actions hath not its natural freedom.

15thly. That the fees taken in all the courts of juſtice in this kingdom, both eccleſiaſtical and civil, and by other inferior officers and miniſters, are ſo immoderately high, that it is an unſpeakable burthen to all his majeſty's ſubjects of this kingdom, who are not able to ſubſiſt, except the ſame be ſpeedily remedied and reduced to ſuch a moderation as may ſtand with the condition of this realm.

And laſtly, The gentry and merchants, and other his majeſty's ſubjects of the kingdom, are of late, by the grievances and preſſures aforeſaid, and other the like, brought very near to ruin and deſtruction: and the farmers of cuſtoms, cuſtomers, waiters, ſearchers, clerks of unwarrantable proceedings, purſuivants and gaolers, and ſundry others, very much enriched; whereby, and by the ſlow redreſs of the petitioner's grievances, his majeſty's moſt faithful and dutiful people of this kingdom do conceive great fears, that their readineſs, approved upon all occaſions, have not been of late rightly repreſented to his ſacred majeſty: for remedy whereof, the ſaid petitioners do humbly and of right beſeech your lordſhip, that the ſaid grievances and preſſures may be ſpeedily redreſſed; and if your lordſhip ſhall not think fit to afford preſent relief therein, that your lordſhip might admit a ſelect committee of this houſe, of perſons unintereſted in the benefit ariſing of the aforeſaid grievances, to be licenſed by your lordſhip to repair to his ſacred majeſty in England, for to purſue the ſame, and to obtain fitting remedy for their aforeſaid, and other juſt grievances and oppreſſions: and upon all juſt and honourable occaſions they will, without reſpect of particular intereſt or profit to be raiſed thereby, moſt humbly and readily in parliament extend their utmoſt endeavours to ſerve his majeſty, and comply with his royal and princely occaſions. And ſhall pray, &c.

No. XXII.

(*Page* 133.)

To the Right Honourable the Juſtices and Council, the humble Remonſtrance of the Gentry and Commonalty of the County of Cavan, of their Grievances, common with other Parts of this Kingdom of Ireland.

WHEREAS we, his majeſty's loyal ſubjects of his highneſs's kingdom of Ireland, have, of long time, groaned under many grievances and preſſures, occaſioned by the rigorous government of ſuch placed over us, as reſpected more the advancement of their own private fortunes, than the honour of his majeſty, or the welfare of his ſubjects; whereof we have heretofore in humble manner declared ourſelves to his highneſs, by our agents, ſent from the parliament, the repreſentative body of the kingdom, notwithſtanding which, we find ourſelves of late threatened with far greater and more grievous vexations, either with captivity of our conſciences, or utter expulſion from our native ſeats, without any juſt grounds given on our parts, to alter his majeſty's goodneſs, ſo long continued to us. Of all which, we find great cauſe of fears in the proceedings of our neighbour nations; and do ſee it already attempted by certain petitioners, for the like courſe to be taken in this kingdom, for the effecting thereof, in a compulſory way; ſo as rumours have cauſed fears of invaſion from other parts, to the diſſolving of the bond of mutual agreement, which hitherto hath been held inviolable, between the ſeveral ſubjects of this kingdom, and whereby all his majeſty's other dominions have been linked in one. For the preventing therefore of ſuch evils growing upon us in this kingdom, we have, for the preſervation of his majeſty's honour, and our own liberties, thought fit to take into our hands, for his majeſty's uſe and ſervice, ſuch forts and other places of ſtrength, as coming into the poſſeſſion of others, might prove diſadvantageous, and tend to the utter undoing of the kingdom; and we do hereby declare, that herein we harbour not the leaſt thought of diſloyalty towards his majeſty, or purpoſe any hurt to his highneſs's ſubjects, in their poſſeſſions, goods, or liberty; only we deſire, that your lordſhips will be pleaſed to make remonſtrances to his majeſty for us, of all our grievances and juſt fears, that they may be removed, and ſuch a courſe ſettled by the advice of the parliament of Ireland, whereby the liberty of our conſciences may be ſecured unto us, and we eaſed

of

of other burdens in civil government. As for the miſchiefs and inconveniencies, that have already happened, through the diſorder of the common ſort of people, againſt the Engliſh inhabitants, or others, we with the nobility and gentlemen, and ſuch others of the ſeveral counties of this kingdom, are moſt willing and ready to uſe our and their beſt endeavours in cauſing reſtitution and ſatisfaction to be made, as in part we have already done.

An anſwer hereunto is moſt humbly deſired, with ſuch preſent expedition as may, by your lordſhips, be thought moſt convenient, for avoiding the inconvenience of the barbarouſneſs and incivility of the commonalty, who have committed many outrages, without any order, conſenting, or privity of ours. All which we leave to your lordſhips' wiſdom, and ſhall humbly pray, &c.

No. XXIII.

The Proteſtation of the Commons againſt the Preamble in Favour of the Earl of Strafford. (*Page* 129.)

WHEREAS an act for the granting of four entire ſubſidies to his moſt excellent majeſty, by the temporalty of this kingdom was enacted in the firſt ſeſſion of this preſent parliament, in the preamble of which act the enſuing branch or claufe was inſerted, viz. "And particularly in providing and "placing over us ſo juſt, wiſe, vigilant, and profitable a governor, as the "Right Honourable Sir Thomas Wentworth, Knight, Earl of Strafford, "Lord Lieutenant of this your ſaid kingdom of Ireland, preſident of your "majeſty's councel eſtabliſhed in the north parts of your ſaid kingdom of "England, and one of your majeſty's moſt honourable privy councel of the "ſame kingdom, who by his great care and travail of body and mind, ſincere and upright adminiſtration of juſtice, without partiality, increaſe of "your majeſty's revenue without the leaſt hurt or grievance to any your "well-diſpoſed and loving ſubjects, and our great comforts and ſecurity, by "the large and ample benefits which we have received, and hope to receive "by his majeſty's commiſſion of grace for remedy of defective titles, procured "hither by his lordſhip from your ſacred majeſty, his lordſhip's great care "and pains in reſtauration of the church, the reinforcement of your army

"within

" within this kingdom, and ordering the ſame with ſuch ſingular and good " diſcipline as that it is now become a great comfort, ſtay and ſecurity to " this your whole kingdom, which before had an army, rather in name than in " ſubſtance, his ſupports of your majeſty's wholeſome laws here eſtabliſhed, " his encouragement and countenance to your judges, and other good officers, " miniſters, and diſpenſers of the laws, in the due and ſincere adminiſtration " of juſtice, his neceſſary and juſt ſtrictneſs for the execution thereof, his " due puniſhment of the contemners of the ſame, and his care to relieve and " redreſs the poor and oppreſſed: for this your tender care over us, ſhewed " by the deputing and ſupporting of ſo good a governor, we your faithful " ſubjects, acknowledge ourſelves more bound, than we can with tongue or " pen expreſs." The knights, citizens, and burgeſſes in parliament aſſembled, do hereby declare and proteſt, that Thomas Earl of Strafford, lord lieutenant general, and general governor of this kingdom, before ſuch time as the ſaid act (being formerly tranſmitted into England, and returned from thence) was read or known in parliament, and before him the Lord Dillon, of Kilkenny-weſt, and Chriſtopher Wandsford, Eſq., then lords juſtices of this kingdom, did in ſeveral ſpeeches, declare and ſignify unto both houſes of parliament, his majeſty's urgent and great occaſions, and the near and approaching danger, that this realm was ſuddenly to be invaded by the Scots; whereupon, and before the ſaid act was read or known, as aforeſaid, four intire ſubſidies were freely, chearfully, and unanimouſly granted in parliament, and thereupon, and not before the ſaid act was read and made known in the Houſe of Commons, and that their natural and fervent zeal and devotion to his majeſty's ſervice, and the fears of the ſaid declared imminent danger, and the inconveniencies which they ſuſpected might enſue, if they had then excepted againſt the ſaid part of the preamble concerning the Earl of Strafford, and expected a new tranſmiſſion, as a ſtatute of force here in ſuch caſes doth require, did occaſion and enforce their ſilence, and not then ſpeaking or proteſting againſt the ſaid part of the preamble which was cautiouſly and ſurreptitiouſly, as to this houſe, for ſo much thereof as concerns the ſaid Earl of Strafford only, inſerted in the ſaid preamble, and of purpoſe to prevent and anticipate the juſt and univerſal complaints of his majeſty's moſt faithful, dutiful, and loving ſubjects of this kingdom; and that the ſaid part of the preamble was contrived, penned, and inſerted as aforeſaid fraudulently, without the privity of the houſe, either by the ſaid Earl of Strafford

ford himſelf, or by ſome other perſon or perſons adviſers, procurers, and actors of, and in the manifold and general grievances and oppreſſions of this his majeſty's kingdom, by the direction and privity of the ſaid earl. And the ſaid knights, citizens, burgeſſes aſſembled, as aforeſaid, do further declare and make this their proteſtation, that this kingdom, at ſuch time as the ſaid Earl of Strafford firſt obtained the government thereof, was in a flouriſhing, wealthy, and happy eſtate, and that, ſince the ſaid Earl of Strafford's government, he the ſaid Earl of Strafford, his adviſers, councellors, and miniſters, have altered the face of the government of the ſaid kingdom, by the introducing of a new, unlawful, arbitrary, and tyrannical government, by the determination of all or moſt cauſes upon paper petitions, and other unjuſt and unwarrantable proceedings and actions, to the particular profit of himſelf and his miniſters, tending to the great impoveriſhment and deſtruction of his majeſty's ſaid ſubjects, in their lands, goods, lives, and juſt liberties, and to the ſubverſion of the former laudable, mild, and legal government, for many ages paſt, ſettled and eſtabliſhed in this kingdom by his moſt excellent majeſty, and his royal progenitors and predeceſſors, kings, and queens of England and Ireland, and that the ſaid Earl of Strafford, and his councellors, adviſers, and miniſters aforeſaid, by, and by occaſion of the ſaid innovations, and new form of unjuſt government, have, beyond all meaſure and moderation, advanced and enriched themſelves, by extortions, oppreſſions, and all ſorts of injuſtice, to the general grief, diſcontent, and deſtruction of his majeſty's ſaid faithful people of this kingdom. And the ſaid knights, citizens, and burgeſſes, do further declare and proteſt, and have a ſettled, firm, and immoveable faith and belief, that his moſt excellent majeſty, in his pious intention and inclination to his ſaid people did place, conſtitute, and continue the ſaid Earl of Strafford in the ſaid government, to the intent and purpoſe, that the ſaid earl ſhould carry and demean himſelf a juſt, upright, and equal governor of the ſaid kingdom, according to the laws and ſtatutes of force in this kingdom, and in no other ſort or manner; and that the ſaid Earl of Strafford, his councellors, adviſers, actors, and miniſters aforeſaid, did manage the moſt weighty affairs of this kingdom, during the time of the ſaid earl his ſaid government, directly contrary to his ſaid majeſty's pious intentions. And the knights, citizens, and burgeſſes, do further proteſt and declare, that as for and concerning ſo much of the preamble of the ſaid act, as doth concern his moſt excellent majeſty alone, and likewiſe the body of the

ſaid

ſaid act, for granting of the ſaid ſubſidies, that they are now as glad and chearful for to have paſſed and granted the ſame, as in or by the ſaid act, or in or by their former declarations, they have expreſſed, and will, unto all honourable and neceſſary occaſions of his majeſty, in parliament contribute their beſt endeavours and aſſiſtance.

And the ſaid knights, citizens, and burgeſſes, do hereby authorize and require their committee, now attending his majeſty, for to preſent unto his majeſty this their proteſtation, and proofs thereof, by particular inſtances, if the ſame be required and neceſſary; and likewiſe to preſent unto his majeſty their humble requeſt, that an act may paſs in this preſent parliament, for the revoking, vacating, and taking from the records of parliament, the before recited part of the preamble, concerning the ſaid Earl of Strafford and his government, and likewiſe to become moſt humble ſuitors to his moſt excellent majeſty, that neither the ſaid Earl of Strafford, nor any of his ſaid adviſers, councellors, or miniſters, as perſons, who in all things ſerved their own turns, and deceived his majeſty, and who are moſt hateful and inſupportable to his ſaid people, may have any thing to do in councelling, adviſing, or acting with, or concerning the government of this kingdom, or the affairs thereof; and that the contrivers, adviſers, and actors of the ſaid part of the preamble concerning the ſaid Earl of Strafford and his government, the ſame being ſurreptitiouſly, as to this houſe, inſerted, as aforeſaid, may be diſcovered, impeached, and puniſhed for the ſame, and other their offences and miſdemeanors according to the juſtice and courſe of parliament.

No. XXIV.

His Majeſty's Letter touching the Graces. (*P.* 131.)

CHARLES REX.

RIGHT truſty and well beloved councellors, we greet you well. Whereas humble ſuit hath been made unto us by the committees of the lords and commons, in parliament aſſembled in that our kingdom of Ireland, among other particulars, for the obtaining of the benefit of certain inſtructions and graces, by us promiſed, in the fourth year of our reign, to our ſubjects of that kingdom; which they alledge they have not hitherto fully enjoyed

enjoyed, according to our gracious intention; and their ſaid ſuit, for enjoying the ſaid graces, being by us taken into ſerious conſideration, after great deliberation, and the advice of our privy council thereupon heard, we have thought fit, by theſe our letters, to declare, that all and every of our ſubjects of that our kingdom ſhall, from henceforth, enjoy the benefit of the ſaid graces, according to the true intention thereof. And it is our royal will and pleaſure, that the ſame be now ſettled, as may moſt conduce to the future ſecurity of our ſaid ſubjects, eſtates, and the good of that our kingdom. And to the end, that our princely promiſe paſſed unto them, in the parts thereof herein expreſſed, may the more ſpeedily be performed, we thereby will and require you, that forthwith ſeveral bills be tranſmitted from you, our juſtices and our council there, for ſecuring unto our ſaid ſubjects in parliament, ſuch particulars, as in theſe our letters are contained, &c.

No. XXV.

The Orders of the Lords and Commons of the Engliſh Parliament to the Lords Juſtices of Ireland. (*P.* 140.)

THE lords and commons in this preſent parliament, being advertiſed of the dangerous conſpiracy and rebellion in Ireland, by the treacherous and wicked inſtigation of Romiſh prieſts, for the bloody maſſacre and deſtruction of all Proteſtants living there, and other his majeſty's loyal ſubjects of Engliſh blood, though of the Romiſh religion, being ancient inhabitants within ſeveral counties and parts of that realm, who have always in former rebellions given teſtimony of their fidelity to this crown; and for the utter depriving of his royal majeſty, and the crown of England, from the government of that kingdom, (under pretence of ſetting up the Popiſh religion) have therefore taken into their ſerious conſideration, how thoſe miſchievous attempts might be moſt ſpeedily and effectually prevented, wherein the honour, and intereſt of this kingdom, are moſt nearly and fully concerned.

Wherefore they do hereby declare, that they do intend to ſerve his majeſty with their lives and fortunes, for the ſuppreſſing of this wicked rebellion, in ſuch a way as ſhall be moſt effectual, by the wiſdom and authority of parliament, and thereupon have ordered and provided for a preſent ſupply of

money, and raiſing the number of ſix thouſand foot, and two thouſand horſe, to be ſent from England, being the full proportion deſired by the lords juſtices, and his majeſty's council reſident in that kingdom, with a reſolution to add ſuch further ſuccours, as the neceſſity of theſe affairs ſhall require. They have alſo reſolved of providing arms and munition, not only for thoſe men, but likewiſe for his majeſty's faithful ſubjects in that kingdom, with ſtore of victuals, and other neceſſaries, as there ſhall be occaſion; and that theſe proviſions may more conveniently be tranſported thither, they have appointed three ſeveral ports of this kingdom, that is to ſay, Briſtol, Weſtcheſter, and one other in Cumberland, where the magazines and ſtorehouſes ſhall be kept, for the ſupply of the ſeveral parts of Ireland. They have likewiſe reſolved to be humble mediators to his moſt excellent majeſty, for the encouragement of thoſe Engliſh or Iriſh, who ſhall, upon their own charges, raiſe any number of horſe or foot, for his ſervice, againſt the rebels, that they ſhall be honourably rewarded with lands or inheritance in Ireland, according to their merits. And for the better inducing the rebels to repent of their wicked attempts, they do hereby commend it to the lord lieutenant of Ireland, or, in his abſence, to the lord deputy or lords juſtices there, according to the power of the commiſſion granted in that behalf, to beſtow his majeſty's gracious pardon to all ſuch as, within a convenient time (to be declared by the lord lieutenant, or lord deputy, or lords juſtices and council of that kingdom) ſhall return to their due obedience; the greater part thereof, they conceive, have been ſeduced upon falſe grounds, by the cunning and ſubtile practices of ſome of the moſt malignant rebels, enemies to this ſtate, and to the reformed religion; and likewiſe to beſtow ſuch rewards as ſhall be thought fit and publiſhed by the lord lieutenant, lord deputy, or lords juſtices and council, upon all thoſe, who ſhall arreſt the perſons, or bring the heads of ſuch treaytors, as ſhall be perſonally named in any proclamation publiſhed by the ſtate there.

And they do hereby exhort and require all his majeſty's loving ſubjects, both in this and in that kingdom, to remember their duty and conſcience to God and his religion.

No. XXVI.

The Oath taken by the Iriſh. (*Page* 141.)

I A. B. do, in the preſence of Almighty God and all the ſaints and angels in Heaven, promiſe, vow, ſwear, and proteſt, to maintain and defend, as far as I may, with my life, power, and eſtate, the public and free exerciſe of the true and Roman Catholic religion, againſt all perſons that ſhall oppoſe the ſame. I further ſwear, that I will bear faith and true allegiance to our ſovereign lord King Charles, his heirs and ſucceſſors; and that I will defend him and them as far as I may, with my life, power, and eſtate, againſt all ſuch perſons as ſhall attempt any thing againſt their royal perſons, honours, eſtates, and dignities, and againſt all ſuch as ſhall directly or indirectly endeavor to ſuppreſs the royal prerogative, or do any act or acts contrary to regal government; as alſo the power and privileges of parliament, the lawful rights and privileges of the ſubjects, and every perſon, that makes this vow, oath, and proteſtation, in whatſoever he ſhall do, in the lawful purſuance of the ſame. And to my power, as far as I may, I will oppoſe, and by all means and ways endeavor to bring to condign puniſhment, even to the loſs of life, and liberty, and eſtate, all ſuch as ſhall either by force, practice, plots, conſpiracies, or otherwiſe, do or attempt any thing to the contrary of any article, clauſe, or any thing in this preſent vow, oath, or proteſtation contained. So God me help.

No. XXVII.

LORD CLANRICARDE'S *Letter to the* KING. (*Page* 141.)

MAY IT PLEASE YOUR MAJESTY,

THE 5th of this preſent was a day of great comfort and conſolation to me, receiving aſſurance (by your majeſty's direction) from my Lord Falkland, that your majeſty was pleaſed to hold a gracious opinion of my endeavours and proceedings for your ſervice; and that the diſtraction of the times, and not diſpleaſure, diverted the courſe of your majeſty's favours towards me, which, in my own thoughts, gave me very high ſatisfaction, and

requires my humble acknowledgements; and if your majeſty had reſerved the reducing of this kingdom to our own power and management, I do confidently preſume, that as you have honoured me with this government, ſo your majeſty would have long ſince intruſted me with means and ability to diſcharge the duty of my place, and to appear conſiderable in your ſervice; but, as it is now governed, though many there are moſt near unto me in blood, and, as I conceive, ſure to me in friendſhip and affection, yet I apparently find (ſuch is the diſpoſition of the times) let my endeavours be never ſo induſtrious and faithful, I ſhall never attain to any truſt or employment that may gain me honour by my ſervice, nor any ſupport to eaſe my infinite charge, which hath already conſumed both my fortune and credit.

I have written to my Lord of Falkland, and ſent him ſeveral papers, that will give ſome account of my proceedings ſince my laſt diſpatch, and the motives, that guided me to the courſes I have taken, being left to myſelf, without either ſtrength or intelligence; and there I hope faith and duty will appear, though accompanied with error and diſability. Thoſe of moſt importance, wherein I moſt deſire to juſtify myſelf, concern the arrival of the Lord Forbes to the Bay of Galway, with the title of lieutenant general of the additional forces.

And unto your majeſty, I preſume to ſend herewith a copy of the ſubmiſſion his lordſhip required from Galway. The motives of my proceedings with his lordſhip, and a note of particulars I have ſent unto my Lord of Falkland, that your majeſty may be informed at your beſt leiſure of what you ſhall pleaſe to make choice of. I underſtand, that thoſe forces were ſent at the requeſt, and upon the charge of the city of London; and whether they were ſo fair in your majeſty's favour as to have ſuch an important place put into their hands, and taken out of my government, intruſted to me by your majeſty, appeared very doubtful unto me, and inclined me rather to a reſpective refuſal of ſuch aſſiſtance, untill I received ſome further intimation of your pleaſure, whether it be a neceſſary part of my duty to receive all accidental forces, or to attend thoſe ſupplies, that may be properly aſſigned for this place, and that I may have ſome intereſt or command over them: otherwiſe I have cauſe to fear much danger and prejudice by the violence offered by ſome here, and more frequently in other places.

After a long expectation, the natives of theſe parts finding no power or aſſiſtance coming or appointed for me, nor no inſtruction or declaration directed

rected to me under your royal ſignature, neither intreaties, threats, nor proteſtations can perſuade or draw moſt men from the belief, that they do really ſerve your majeſty, that are in this preſent commotion, and that I do adhere to thoſe that ſtand in oppoſition to your majeſty, in regard that my brother hath ſo far caſt himſelf into your majeſty's diſpleaſure (which I cannot mention but with a deep impreſſion of grief and amazement), and that your majeſty's fort at Galway is no more at your own diſpoſal, but in the hands of your enemies, by the correſpondency between the Lord Forbes and the captain of the fort; and moſt are ſo carried with theſe opinions, that I have gotten the hatred of the whole kingdom, and though moſt faithful, yet leaſt able to ſerve your majeſty, or defend myſelf. And ſuch is the diſtracted apprehenſion of theſe people, that though many are inclining to fall off, in whom I repoſed much confidence; and that few will pay any exact obedience; and that oppreſſed by multitudes, I may this winter be in danger to be ſhut up or beſieged; yet, if vows or proteſtations may gain belief, I ſhould be followed by thouſands to ſerve your majeſty in any other place. But as the ſtate of this kingdom ſtands, ſuch is their ſenſe of the oppoſition given to your majeſty by ſome faction in your parliament, of the injuſtice done them by thoſe, that govern here, and the general deſtruction conceived to be deſigned againſt the natives, that almoſt the whole kingdom are united into one reſolute body to gain their preſervation, or ſell their lives at the deareſt rates.

I give your majeſty moſt humble thanks for the licence I have received for my repair into England; but the land paſſages to Dublin being ſtopt, and the time of the year far ſpent, which make the long voyage by ſea moſt dangerous and troubleſome for women and children, I reſolved between two extremes to keep my family here till ſummer; but if your majeſty find no inconvenience there, by my attendance upon you in England, which I know not how to judge of at this diſtance, being debarred free intelligence, I ſhould myſelf be glad to wait upon your majeſty, to repreſent ſome things unto you, that I conceive might be of advantnge to your ſervice, which I humbly ſubmit to your majeſty's conſideration. And for my own particular, God is my witneſs, I have no other aim nor end but merely to approve myſelf ſerviceable, and moſt conſtantly loyal to your majeſty; and but for theſe reſpects, I ſhould not care how ſoon I paid nature that debt, which muſt be at laſt diſcharged; and if it pleaſe God to haſten me from theſe miſeries, and

that

that I may not repair unto your majeſty, I ſhall confidently truſt in your grace and goodneſs, that your majeſty will vouchſafe to take my wife and children into your royal care and protection; and likewiſe the heir male of a never tainted family, whoſe carriage and diſpoſition will, I hope, deſerve your majeſty's favour.

And pardoning my preſent preſumption, whilſt I have life I will conſtantly offer up my prayers and vows for your majeſty's preſervation from all dangers, and that you may appear in full power and glory, anſwerable to the birth and virtues of ſo great a monarch, and your majeſty may be graciouſly pleaſed to conceive it want of ability and means of expreſſion, and no failing of duty or affection, if I do not clearly approve myſelf,

Your majeſty's moſt humble and faithful
ſubject and ſervant,

Laughreagh, the 26th of October, 1642.

CLANRICARDE and ST. ALBANS.

No. XXVIII.

The Remonſtrance of the Catholics of Ireland, delivered to His Majeſty's Commiſſioners, at Trym, 17th of March, 1642. (*Page* 142.)

To the King's Moſt Excellent Majeſty.

MOST GRATIOUS SOVEREIGNE,

WEE your majeſtie's moſt dutifull and loyall ſubjects, the Catholiques of your highneſs' kingdome of Ireland, being neceſſitated to take armes for the preſervation of our religion, the maintenance of your majeſtie's rights and prerogatives, the natural and juſt defence of our lives and eſtates, and the liberties of our country, have often ſince the beginning of theſe troubles, attempted to preſent our humble complaynts unto your royal view, but we are fruſtrated of our hopes therein by the power and vigilance of our adverſaryes (the now lords juſtices and other miniſters of ſtate in this kingdom), who by the aſſiſtance of the malignant partie in England, now in armes againſt your royall perſon, with leſs difficultie to obtain the bad ends they propoſed to themſelves, of extirpateing our religion and nation, have hitherto debarred us of any acceſs to your majeſty's juſtice, which occaſioned the

the effuſion of ſo much innocent blood, and other miſchiefs in this your kingdom; and that otherwiſe might well bee prevented. And whereas of late notice was ſent unto us of a commiſſion granted by your majeſty to the Right Honourable the Lord Marques of Ormond, and others, authorizing them to heare what we ſhall ſay or propound, and the ſame to tranſmit to your majeſtie in writing, which your majeſtie's gratious and princely favor, wee finde to be accompanyed with theſe words, viz. *(albeit wee doe extreamly deteſt the odious rebellion, which the recuſants of Ireland have, without ground or colour, raiſed againſt us, our crown and dignitie)*; which words wee doe in all humilitie conceive to have proceeded from the miſrepreſentations of our adverſaries, and therefore do proteſt, we have been therein maliciouſly traduced to your majeſtie, having never entertained any rebellious thought againſt your majeſty, your crowne or dignitie, but allways have been, and ever will continue, your majeſtie's moſt faithfull and loyall ſubjects, and doe moſt humbly beſeech your majeſtie ſoe to owne and avowe us, and as ſuch wee preſent unto your majeſtie theſe enſueing grievances and cauſes of the preſent diſtempers.

Imprimis. The Catholiques of this kingdome, whom no reward could invite, no perſecution could inforce, to forſake that religion profeſſed by them and their anceſtors for thirteen hundred years or thereabouts, are, ſince the ſecond yeare of the reigne of Queene Elizabeth, made incapable of places of honour or truſt, in church or commonwealth, their nobles become contemptible, their gentry debarred from learning in univerſities, or public ſchools within this kingdom, their younger brothers put by all manner of employment in their native country, and neceſſitated (to their great diſcomfort and impoveriſhment of their land) to ſeek education and fortune abroad, misfortunes made incident to the ſaid Catholiques of Ireland only (their numbers, qualitie, and loyaltie conſidered) of all the nations of Chriſtendome.

2dly. That by this incapacitie, which in reſpect of their religion was impoſed upon the ſaid Catholiques, men of meane condition and qualitie, for the moſt part, were, in this kingdome, employed in places of the greateſt honour and truſt, who being to begin a fortune, built it on the ruins of the Catholic natives, att all times lying open to be diſcountenanced, and wrought upon, and who (becauſe they would ſeeme to be carefull of the government) did from tyme to tyme ſuggeſt falſe and malicious matters againſt them, to render them ſuſpected and odious in England; from which

ungrounded

ungrounded informations, and their many other ill offices, theſe miſchiefs have befallen the Catholiques of Ireland. Firſt, the oppoſition given to all the graces and favours, that your majeſtie or your late royall father promiſed or intended to the natives of this kingdom; ſecondly, the procuring falſe inquiſitions, upon feigned titles of their eſtates againſt many hundred years poſſeſſion, and no travers or petition of right admitted thereunto, and jurors denying to find ſuch offices were cenſured even to publique infamie and ruin of their eſtates, the finding thereof being againſt their conſciences and their evidences, and nothing muſt ſtand againſt ſuch offices taken of great and conſiderable parts of the kingdome, but letters pattent under the great ſeale; and if letters patent were produced (as in moſt caſes they were) none muſt be allowed valid, nor yet fought to be legally avoided, ſoe that of late times by the underhand working of Sir William Parſons, knight, now one of the lords juſtices here, and the arbitrary illegal power of the two impeached judges in parliament and others drawn by their adviſe and counſell, one hundred and fifty letters pattents were avoyded one morning, which courſe continued untill all the patents of the kingdome, to a few, were by them and their aſſociates declared void; ſuch was the care thoſe miniſters had of your majeſtie's great ſeale, being the publique faith of the kingdome. This way of ſervice in ſhew only pretended for your majeſtie, proved to your diſſervice and to the immoderate, and too tymely advancement of the ſaid miniſters of ſtate and their adherents, and nearly to the utter ruin of the ſaid Catholiques.

3dly. That whereas your majeſtie's late royall father, King James, having a princely and fatherly care of this kingdome, was gratiouſly pleaſed to graunt ſeverall large and beneficiall commiſſions, under the great ſeale of England, and ſeveral inſtructions, and letters under his privie ſignett, for paſſing and ſecuring the eſtates of his ſubjects here by letters pattents under the great ſeale, and letters pattents accordingly were thereof paſſed, fynes payed, old rentes encreaſed, and new rents reſerved to the crowne; and the ſaid late king was further gratiouſly pleaſed, att ſeveral tymes, to ſend divers honourable perſons of integritie, knowledge and experience, to examine the grievances of this kingdome, and to ſettle and eſtabliſh a courſe for redreſs thereof: and whereas your majeſtie was gratiouſly pleaſed, in the fourth yeare of youre reign, to vouchſafe a favourable heareing to the grievances preſented unto you, by agents from this kingdome, and thereupon did grant many graces and favours unto your ſubjects thereof, for ſecurities of their eſtates,

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and redreſs for remove of thoſe heavy preſſures, under which they have long groaned; which acts of juſtice and grace extended to this people by your majeſtie, and your ſaid royal father, did afford them great content, yett ſuch was, and is yett the immortall hatred of ſome of the ſaid miniſters of ſtate, and eſpecially of Sir William Parſons, the ſaid impeached judges and their adherents to any welfare and happineſs of this nation, and their ambition to make themſelves ſtill greater and richer, by the total ruine and extirpation of this people, that under pretence of your majeſtie's ſervice, the public faith involved in thoſe grants were violated, and the grace and goodneſs intended by two glorious kings ſucceſſively, to a faithfull people, made unprofitable.

4th. The illegal, arbitary, and unlawfull proceedings of the ſaid Sir William Parſons, and one of the ſaid impeached judges, and their adherents and inſtruments, in the court of wards, and the many wilfully erroneous decrees and judgments of that court, by which the heirs of Catholique noblemen and other Catholiques were moſt cruelly and tyrannically dealt withall, deſtroyed in their eſtates, and bred in diſſolution and ignorance, their parents debts unſatisfied, their younger brothers and ſiſters left wholly unprovided for, the auncient and appearing tenures of meſne lords unregarded, eſtates valid in law and made for valuable conſiderations avoyded againſt law, and the whole land filled upp with the frequent ſwarms of exheators, feodaryes, purſuivants, and others, by authoritie of that court.

5th. The ſaid Catholiques, notwithſtanding the heavy preſſures beforementioned, and other grievances in part repreſented to your majeſtie by the late committees of both houſes of parliament of this kingdome, (whereunto they humbly deſire that relation being had, and redreſs obtained therein) did readyly and without reluctance or repineing contribute to all the ſubſidies, loanes, and other extraordinary graunts made to your majeſtie in this kingdome, ſince the beginning of your reigne, amounting unto well neare one million of poundes, over and above your majeſtie's revenue, both certain and caſual, and although the ſaid Catholiques were in parliament and otherwiſe the moſt forward in graunting the ſaid ſummes, and did beare nine parts of ten in the payments thereof, yet ſuch was the power of their adverſaryes, and the advantage they gained by the opportunity of their continuall addreſs to your majeſty, to encreaſe their reputation by getting in of thoſe monies, and their authoritie in the diſtribution thereof to your majeſtie's great diſſervice,

that they aſſumed to themſelves to be the procurors thereof, and repreſented the ſaid Catholiques as obſtinate and refractory.

6th. The army raiſed for your majeſtie's ſervice here, at the great charge of the kingdome, was diſbanded by the preſſing importunitie of the malignant partie in England, not giving way, that your majeſtie ſhould take a deſire therein with the parliament here, alledging the ſaid army was Popiſh, and therefore not to be truſted, and although the world could witneſs the unwarrantable and unexampled invaſion made by the malignant partie of the parliament of England, upon your majeſtie's honour, rights, prerogatives, and principal flowers of your crown; and that the ſaid Sir William Parſons, Sir Adam Loftus, knight, your majeſtie's vice-treaſurer of this kingdome, and others their adherents, did declare, that an army of ten thouſand Scots was to arrive in this kingdome, to force the ſaid Catholiques to change their religion, and that Ireland could never doe well without a rebellion, to the end the remaine of the natives thereof might be extirpated, and wagers were laid at a general aſſize and publique meetings by ſome of them then and now employed in places of greate profitt and truſt in this kingdome, that within one yeare no Catholique ſhould be left in Ireland; and that they ſaw the ancient and unqueſtionable privileges of the parliament of Ireland unjuſtly and againſt law encroached uppon, by the orders, acts and proceedings of both houſes of parliament in England in ſending for and queſtioning to and in that parliament, the members of the parliament of this kingdome, ſitting the parliament here; and that by ſpeeches, and orders printed by authoritie of both houſes in England, it was declared, that Ireland was bound by the ſtatutes made in England, if named; which is contrary to knowen truth, and the laws here ſettled for foure hundred years and upwards; and that the Catholiques were throughly informed of the proteſtation of both houſes of parliament of England againſt Catholiques, and of their intention to introduce lawes for the extirpation of Catholique religion in the three kingdomes, and that they had certain notice of the bloody execution of prieſts there, only for being prieſts, and that your majeſty's mercy and power could not prevaile with them to ſave the lyfe of one condemned prieſt, and that the Catholiques of England being of their own fleſh and blood, muſt ſuffer or depart the land, and conſequently others not of ſo neere a relatione to them, if bound by their ſtatutes, and within their power. Theſe motives, although very ſtrong and powerfull to produce apprehenſions and fears in the ſaid Catholiques, did not prevaile with them to take

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defenſive armes, much leſs offenſive; they ſtill expecting, that your majeſty in your high wiſdome might be able in a ſhort tyme to apply ſeaſonable cures, and apt remedies unto thoſe evils and innovations.

7th. That the committees of the lords and commons of this kingdome, having attended your majeſtie for the ſpace of nine months, your majeſtie was gratiouſly pleaſed, notwithſtanding your then weightie and urgent affayres in England and Scotland, to receive, and very often with very great patience to hear their grievances, and many debates thereof at large; during which debates, the ſaid lords juſtices, and ſome of your privy councill of this kingdome and their adherents, by the malitious and untrue informations conveyed to ſome miniſters of ſtate in England (who ſince are declared of the malignant partie), and by their continuall ſolicitation of others of the ſaid privy councill, gone to England of the purpoſe to croſs and give impediment unto the juſtice and grace your majeſtie was inclined to afford to your ſubjects of this realme, did as much as in them lay, hinder the obtaining of any redreſs for the ſaid grievances, and not prevailing therein by your majeſtie, as they expected, have by their letters and inſtruments, laboured with many leading members of the parliament there, to give ſtopp and interruption thereunto; and likewiſe tranſmitted unto your majeſtie, and ſome of the ſtate of England, ſundry miſconſtructions and miſrepreſentations of the proceedings and actions of your parliament of this kingdome, and thereby endeavoured to poſſeſs your majeſtie with an evil opinion thereof, and that the ſaid parliament had no power of judicature in capitall cauſes (which is an eſſential part of parliament), thereby aymeing at the importunitie of ſome of them, and others, who were then impeached of high treaſon, and at the deſtruction of this parliament, but the ſaid lords juſtices and privy councell obſerving, that no art or practice of theirs could be powerfull to withdraw your majeſtie's grace and good intentions from his people, and that redreſs graunted of ſome particular grievances was to be paſſed as acts of parliament, the ſaid lords juſtices and adherents, with the height of malice, envying the good union long before ſettled and continued between the members of the Houſe of Commons, and their good correſpondence with the Lords, left nothing unattempted, which might rayſe diſcord and diſunion in the ſaid houſe, and by ſome of themſelves and ſome inſtruments of theirs in the Commons Houſe, private meetings of greate numbers of the ſaid houſe were appointed of purpoſe to rayſe diſtinction of nation and religion, by meanes

whereof a faction was made there, which tended much to the diſquiet of the houſe and diſturbance of your majeſtie's and the publiques ſervice, and after certain knowledge, that the ſaid committees were by the waterſide in England, with ſundry important and beneficial bills, and other graces, to be paſſed as acts in that parliament, of purpoſe to prevent the ſame, the ſaid faction, by the practice of the ſaid lords juſtices, and ſome of the ſaid privy councill and their adherents, in a tumultuous and diſorderly manner, on the ſeventh day of Auguſt, 1641, and on ſeveral days before, cryed out for an adjournment of the houſe; and being over voted by the voices of the more moderate partie, the ſaid lords juſtices and their adherents told ſeveral honourable peers, that if they did not adjourne the Lords Houſe on that day, being Saturday, that they themſelves would prorogue or adjourn the parliament on the next Monday following, by means whereof, and of great numbers of proxies of noblemen, not eſtated, nor at any tyme reſident in this kingdome (which is deſtructive to the libertye and freedom of parliaments here), the Lords Houſe was on the ſaid ſeventh day of Auguſt adjourned, and the Houſe of Commons by occaſion thereof, and of the faction aforeſaid, adjourned ſoon after; by which means thoſe bills and graces, according to your majeſtie's intention and the great expectation and longing deſires of your people, could not then paſs as acts of parliament.

Within few dayes after this fatal and enforced adjournment, the ſaid committees arrived at Dublin, with their diſpatch from your majeſtie, and preſented the ſame to the lords juſtices and councill, expreſſing a right ſenſe of the ſaid adjournment, and beſought their lordſhips, for the ſatisfaction of the people, to require ſhort heads of that part of the diſpatch, wherein your majeſtie did appeare in the beſt manner unto your people might be ſuddenly conveyed unto all the partes of the kingdome, atteſted by the ſaid lords juſtices, to prevent deſpaire or miſunderſtanding. This was promiſed to be done, and an inſtrument drawn, and preſented unto them for this purpoſe, and yet (as it ſeemes deſiring rather to add fuell to the fire of the ſubjects diſcontents than quench the ſame) they did forbeare to give any notice thereof to the people.

8th. After this, certain dangerous and pernitious petitions, contrived by the adviſe and councell of the ſaid Sir William Parſons, Sir Adam Loftus, Sir John Clotworthy, Knights, Arthur Hill, Eſq. and ſundry other of the malignant partie, and ſigned by many thouſands of the malignant partie in the citty

citty of Dublin, in the province of Ulſter, and in ſundry other of the partes in this kingdome, directed to the Commons Houſe in England, were at publique aſſizes and other publique places made known and read to many perſons of qualitie in this kingdome; which petitions contayned matters deſtructive to the ſaid Catholiques, their religion, lives, and eſtates, and were the more to be feared by reaſon of the active power of the ſaid Sir John Clotworthy in the Commons Houſe in England, in oppoſition to your majeſtie, and his barbarous and inhumane expreſſions in the houſe againſt Catholique religion and the poſſeſſors thereof. Soon after an order conceaved in the Commons Houſe in England, that no man ſhould bowe unto the name of Jeſus (att the ſacred ſound all knees ſhould bend), came to the knowledge of the ſaid Catholiques, and that the ſaid malignant partie did contrive and plott, to extinguiſh their religion and nation. Hence it did ariſe, that ſome of the ſaid Catholiques begun to conſider the deplorable and deſperate conditione they were in, by a ſtatute law here found amongſt the records of this kingdome of the ſecond yeare of the raigne of the late Queen Elizabeth (but never executed in her tyme, nor diſcovered till moſt of the members of that parliament were dead,) by which no Catholique of this kingdome could enjoy his life, eſtate, or lyberty, if the ſaid ſtatute were executed, whereunto no impediment remayned but your majeſtie's prerogative and power; which were endeavoured to be clipped, or taken away, as before has been rehearſed; then the plott of deſtruction by an army out of Scotland, and another of the malignant partie in England muſt be executed, the feares of thoſe two-fold deſtructions, and their ardent deſire to maintaine that juſt prerogative, which might encounter and remove it, did neceſſitate ſome Catholiques in the north, about the 22d of October, 1641, to take armes in maintenance of their religion, your majeſtie's rights, and the preſervation of life, eſtate, and libertie; and immediately thereuppon tooke a ſolemn oath, and ſent ſeveral declarations to the lords juſtices and councill to that effect, and humbly deſired they might be heard in parliament, unto the determination whereof they were ready to ſubmit themſelves and their demands: which declarations being received, were ſlighted by the ſaid lords juſtices, who by the ſwaying part of the ſaid councill, and by the adviſe of the ſaid two impeached judges, glad of any occaſion to put off the parliament, which by the former adjournment was to meete ſoone after, cauſed a proclamation to be publiſhed on the 23d of the ſaid month of October, 1641, therein accuſing

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all the Catholiques of Ireland of diſloyaltie, and thereby declaring, that the parliament was prorogued until the 26th of February following.

9th. Within few dayes after the ſaid 23d day of October, 1641, many lords and other perſons of ranke and qualitie, made their humble addreſs to the ſaid lords juſtices and councill, and made it evidently appeare to them, that the ſaid prorogation was againſt law, and humbly beſought the parliament might ſit according to the former adjournment, which was then the only expedient, to compoſe or remove the then growing diſcontents and troubles of the land; and the ſaid lords juſtices and their partie of the councill, then well knowing, that the members of both houſes throughout the kingdome (a few in and about Dublin only excepted) would ſtay from the meeting of both houſes, by reaſon of the ſaid prorogation, did by proclamation two days before the time, give way the parliament might ſitt, but ſo limitted, that no act of grace, or any thing elſe for the peoples quiet or ſatisfaction, might be propounded and paſſed; and thereuppon a few of the lords and commons appeared in the parliament houſe, who at the entrance of the caſtle bridge and gate, and within the yarde to the parliament houſe doore, and receſs from thence, were environed with a great number of armed men, with their matches lighted, and muſkets preſented even at the breaſts of the members of both houſes, none being permitted to bring one ſervant to attend him, or any weapon about him within the caſtle bridge, yet how then ſoever the houſes were, or how much overawed, they both did ſupplicate the lords juſtices and councill, that they might continue for a tyme together, and expect the comeing of the reſt of both houſes, to the end, that they might quiet the troubles in full parliament, and that ſome acts of ſecuritie graunted by your majeſty, and tranſmitted under the great ſeale of England, might paſs, to ſettle the minds of your majeſtie's ſubjects; but to theſe requeſts, ſoe much conduceing to your majeſty's ſervice, and ſettlement of your people, a flatt denyall was given; and the ſaid lords juſtices and partie of the councill, by their working with their partie, in both houſes of parliament, being very thyn as aforeſaid, propounded an order ſhould be conceaved in parliament, that the ſaid diſcontented gentlemen took armes in rebellious manner, which was reſented much by the beſt affected of both houſes; but being awed as aforeſaid, and credibly informed, if ſome particular perſons amongſt them ſtood in oppoſition thereunto, that the ſaid muſketteers were directed to

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ſhoote them att their going out of the parliament houſe, through which terror, way was given to that order.

10th. Notwithſtanding all the before mentioned provocations, preſſures, and indignities, the farr greater and more conſiderable parte of the Catholiques, and all cittyes and corporations of Ireland, and whole provinces, ſtood quiet in their houſes, whereupon the lords juſtices and their adherents well knowing, that many powerfull members of parliament in England ſtood in oppoſition to your majeſtie, made their application, and addreſſed their diſpatches full frought with calumnies and falſe ſuggeſtions againſt the Catholiques of this kingdome, and propounded unto them, to ſend ſeveral great forces to conquer this kingdome, thoſe of the malignant partie here were by them armed; the Catholiques were not only denied armes, but were diſarmed, even in the citty of Dublin, which in all ſucceſſion of ages paſt, continued as loyall to the crown of England, as any citty or place whatſoever; all other auncient and loyall cittys and corporate towns of the kingdome (by means whereof principally the kingdome was preſerved in former tymes) were denyed armes for their money to defend themſelves, and expreſs order given by the ſaid lords juſtices, to diſarm all Catholiques in ſome of the ſaid cittyes and townes, others diſfurniſhed, were inhibited to provide armes for their defence, and the ſaid lords juſtices and councill having received an order, of both houſes of parliament in England, to publiſh a proclamation of parliament of pardon unto all thoſe, who were then in rebellion (as they tearmed it) in this kingdome, if they did ſubmit by a day limitted, the ſaid Sir William Parſons, contrary to this order, ſoe wrought with his partie of the councill, that a proclamation was publiſhed of pardon only in two countyes, and a very ſhort day prefixed, and therein all freeholders were excepted, through which every man ſaw that the eſtates of the Catholiques, were firſt aymed att, and their lives next. The ſaid lords juſtices and their partie haveing advanced their deſign thus far, and not finding the ſucceſs anſwerable to their deſires, commanded Sir Charles Coote, knight and baronet, deceaſed, to march to the county of Wicklow, where he burnt, killed, and deſtroyed all in his way in a moſt cruell manner, man, woman, and childe; perſons, that had not appearingly wills to doe hurt, nor power to execute it. Soone after ſome foote companies did march in the night by direction of the ſaid lords juſtices and their ſaid partie, to the towne of Sauntry in Fingal, three miles off Dublin, a country that neither then, nor for the ſpace of four

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or five hundred yeares before, did feel what troubles were, or war meant; but it was too ſweet and too neare, and therefore fit to be forced to armes. In that town innocent huſbandmen, ſome of them being Catholiques, and ſome Proteſtants taken for Catholiques, were murdered in their inn, and their heads carryed tryumphant into Dublin. Next morning, complaynt being made of this, no redreſs was obtayned therein, whereupon ſome gentleman of qualitie, and others the inhabitants of the country, ſeeing what was then acted, and what paſſed in the ſaid laſt march towards the county of Wicklow, and juſtly fearing all to be murthered, forſook their houſes, and were conſtrayned to ſtand together in their own defence, though ill provided with armes and ammunition. Hereupon a proclamation was agreed uppon at the board, on the 13th December, 1641, and not publiſhed or printed till the 15th of December; by which the ſaid gentlemen and George Kinge, by, name, were required to come in, by or upon the 18th of the ſame month, and ſafety was therein promiſed them. On the ſame day another proclamation was publiſhed, ſummoning the lords dwelling in the Engliſh Pale near Dublin, to a grand councill on the 17th of the ſaid month; but the lords juſtices and their partie of the councill, to take away all hopes of accommodation, gave direction to the ſaid Sir Charles Coote, the ſaid 15th day of the ſaid month of December, to march to Clontarffe, being the howſe and town of the ſaid George Kinge, and two miles from Dublin, to pillage, burn, kill and deſtroy all that was there to be found; which direction was readily and particularly obſerved, (in a manifeſt breach of public faith) by means whereof, the meeting of the ſaid grand councill was diverted, the lords not daring to come within the power of ſuch notorious faith breakers, the conſideration whereof, and of other the matters aforeſaid, made the nobility and gentry of the Engliſh Pale, and other parts of the province of Leinſter, ſenſible of the preſent danger, and put themſelves in the beſt poſture they could for their natural defence. Wherefore they employed Lieutenant Collonel Read to preſent their humble remonſtrance to your ſacred majeſtie, and to declare unto you the ſtate of their affayres, and humbly to beſeech relief and redreſs; the ſaid lieutenant collonel, though your majeſties ſervant, and employed in public truſt (in which caſe the law of nations affords ſafety and protection) was without regard to either, not only ſtopt from proceeding in his employment, but alſo tortured on the rack at Dublin.

11th. The lord preſident of Munſter, by direction of the ſaid lords juſtices (that

(that province being quiet) with his accomplices, burnt, preyed, and put to death, men, women, and children, without making any difference of qualitie, condition, age, or ſex, in ſeveral parts of that province; the Catholique nobles and gentlemen there were miſtruſted and threatened, and others of inferior qualitie, truſted and furniſhed with armes and ammunition. The province of Connaught was uſed in the like meaſure, whereupon moſt of the conſiderable Catholiques in both the ſaid provinces, were inforced (without armes and ammunition) to look after their ſafety, and to that end did ſtand on their defence, ſtill expecting your majeſties pleaſure, and always ready to obey your commands. Now the plott of the ſaid miniſters of ſtate and their adherents being even ripe, applications were inceſſantly by them made to the malignant partie in England, to deprive this people of all hopes of your majeſties juſtice or mercie, and to plant a perpetual enmity between the Engliſh and Scottiſh nations, and your ſubjects of this kingdome.

12th. That whereas this your majeſties kingdome of Ireland in all ſucceſſion of ages, ſince the raigne of King Henry the Second, ſometime king of England and lord of Ireland, had parliaments of their owne, compoſed of lords and commons, in the ſame manner and forme, qualified with equal liberties, powers, priviledges, and immunities with the parliament of England, and onely depend of the king and crowne of England and Ireland, and for all that time, no prevalent record or authentic precedent can be found, that any ſtatute made in England could or did bind this kingdome before the ſame were here eſtabliſhed by parliament: yet upon untrue ſuggeſtions and informations given of your ſubjects of Ireland, an act of parliament, entitled *An Act for the ſpeedie and effectual reducing the Rebels in his Majeſties kingdome of Ireland to their due obedience to his Majeſty and the Crowne of England*; and another act entitled *An Acte for adding unto and explayning the ſaid former act*, was procured to be enacted in the ſaid parliament of England, in the eighteenth yeare of your majeſties reign, by which acts and other proclamations your majeſty's ſubjects unſummoned unheard, were declared rebells, and two millions and a half of acres of arable meadow, and profitable paſture, within this kingdom ſold to undertakers for certaine ſummes of monie, and the edifices, loghs, woodes, and bogges, waſtes and other appurtenances, were thereby mentioned to be granted and paſſed *gratis*, which acts the ſaid Catholiques doe conceave to have been forced uppon your majeſtie, and although void and unjuſt in themſelves to all purpoſes, yet contain

matters of evil conſequences and extreme prejudice to your majeſty, and totally deſtructive to this nation. The ſcope ſeeming to aime at rebells only, and at the diſpoſition of a certaine quantitie of land, but in effect and ſubſtance, all the lands in the kingdome, by the words of the ſaid acts, may be diſtributed, in whoſe poſſeſſion ſoever they were, without reſpect to age, condition, or qualitie, and all your majeſties tenures, and the greateſt part of your majeſties ſtanding revenue in this kingdome, taken away: and by the ſaid acts, if they were of force, all power of pardoning and of granting thoſe lands, is taken from your majeſty. A preſident, that no age can inſtance the like. Againſt this act the Catholiques do proteſt, as an act againſt the fundamental lawes of this kingdome, and as an act deſtructive to your majeſties rights and prerogatives, by colour whereof, moſt of the forces ſent hither to infeſt this kingdome by ſea and land, diſavowed any authoritie from your majeſtie, but to depend upon the parliament of England.

13th. All ſtrangers, and ſuch as were not inhabitants of the citty of Dublin, being commanded by the ſaid lords juſtices in and ſince the ſaid month of November, 1641, to depart the ſaid city, were no ſooner departed, than they were, by the directions of the ſaid lords juſtices, pillaged abroad, and their goods ſeized uppon and confiſcated in Dublin, and they deſireing to return under the protection and ſafetie of the ſtate, before their appearance in action, were denied the ſame, and divers other perſons of rank and qualitie, by the ſaid lords juſtices employed in publique ſervice, and others keeping cloſe within their doores, without annoying any man, or ſiding then with any of the ſaid Catholiques in armes, and others in ſeverall parts of the kingdome living under, and haveing the protection and ſafety of the ſtate, were ſoon pillaged and their howſes burnt; themſelves, their tenants, and ſervants killed and deſtroyed, and that by the open direction of the ſaid lords juſtices; and by the like direction, when any commander in chiefe of the army, promiſed or gave quarter or protection, the ſame was in all caſes violated, and many perſons of qualitie, who obtained the ſame, were ruined before others; others, that came into Dublin voluntarily, and that could not be juſtly ſuſpected of any crime, if Iriſhmen or Catholiques, by the like direction were pillaged in Dublin, robbed and pillaged abroad, and brought to their tryall for their lives. The citties of Dublin and Cork, and the ancient corporate townes of Drogheda, Yeoghal, and Kingſale, who voluntary received garriſons in your majeſtie's name, and the adjacent countryes, who relieved them,

were

were worſe uſed; and now live in worſe condition, than the Iſraelites did in Egypt; ſo that it will be made appear, that more murders, breaches of publique faith and quarter, more deſtruction and deſolation, more cruelty, not fit to be named, were committed in Ireland, by the direction and advice of the ſaid lords juſtices and their partie of the ſaid councill, in leſs than eighteene months, than can be paralleled to have been done by any Chriſtian people.

14th. The ſaid lords juſtices and their adherents have, againſt the fundamental lawes of the lande, procured the ſitting of both houſes of parliament for ſeveral ſeſſions (nine parts of ten of the naturall and genuine members thereof being abſent, it ſtanding not with their ſafety to come under their power), and made up a conſiderable number in the Houſe of Commons of clerks, ſoldiers, ſerveing men, and others, not legally or not choſen at all or returned, and haveing no manner of eſtate in the kingdome, in which ſitting ſundry orders were conceived, and diſmiſſes obtayned of perſons before impeached of treaſon in full parliament, or which paſſed, or might have paſſed ſome acts againſt law, and to the prejudice of your majeſtie, and this whole nation. And during theſe troubles, terms were kept, and your majeſtie's court of cheefe place, and other courts ſat at Dublin, to no other end or purpoſe, but by falſe and illegal judgments, outlawries, and other capital proceedings, to attaint many thouſands of your majeſtie's moſt faithfull ſubjects of this kingdome; they being never ſummoned nor haveing notice of thoſe proceedings, and ſheriffs made of obſcure and meane perſons, by the like practice appointed of purpoſe; and poor artificers, common ſoldiers, and menial ſervants, returned jurors, to paſs upon the lives and eſtates of thoſe, who came in upon protection and publique faith.

Therefore the ſaid Catholiques, in the behalfe of themſelves and of the whole kingdome of Ireland, doe proteſt and declare againſt the ſaid proceedings, in the nature of parliaments, and in the other courts aforeſaid, and every of them, as being heynous crimes againſt law, deſtructive to parliaments and your majeſtie's prerogative and authoritie, and the rights and juſt liberties of your moſt faithfull ſubjects.

Foraſmuch, dread ſovereigne, as the ſpeedy application of apt remedies unto theſe grievances and heavie preſſures, will tend to the ſettlement and improvement of your majeſtie's revenue, the prevention of further effuſion of blood, the preſervation of this kingdome from deſolation, and the content and

ſatisfaction of your ſaid ſubjects, who, in manifeſtation of their duty and zeal to your majeſty's ſervice, will be moſt willing and ready to employ ten thouſand men under the conduct of well experienced commanders, in defence of your royal rights and prerogatives, they therefore moſt humbly beſeech your majeſtie, that you will vouchſafe gracious anſwers to theſe their humble and juſt complaynts, and for the eſtabliſhment of your people in a laſting peace and ſecuritie, the ſaid Catholiques doe moſt humbly pray, that your majeſtie may be further gratiouſly pleaſed to call a free parliament in this kingdome in ſuch convenient tyme, as your majeſtie in your high wiſdome ſhall think fitt, and urgencie of the preſent affairs of the ſaide kingdome doth require, and that the ſaid parliament be held in a different place, ſummoned bye and continued before ſome perſon or perſons of honour and fortune, of approved faithe to your majeſtie, and acceptable to your people here; and to be tymely placed by your majeſtie in this government, which is moſt neceſſary for the advancement of your ſervice and preſent condition of the kingdome, in which parliament the ſaid Catholiques doe humbly pray, theſe or other grievances may be redreſſed, and that in the ſaid parliament a ſtatute made in this kingdome in the tenth yeare of King Henry the Seventh, commonly called Poyning's, and all acts explayneing, or enlargeing the ſame, be by a particular act ſuſpended during that parliament, as it hath been already done in the eleventh year of Queen Elizabeth, upon occaſions of far leſs moment, than now doe offer themſelves: and that your majeſtie, with the advice of the ſaid parliament, will be pleaſed to take a courſe for the further repealing, or further continuance of the ſaid ſtatutes, as may beſt conduce to the advancement of your ſervice here, and peace of this your realme, and that no matter whereof complaint is made in this remonſtrance, may debar Catholiques, or give interruption to their free votes, or ſitting in the ſaid parliament; and as in duty bound they will ever pray for your majeſtie's long and proſperous reigne over them.

Wee the undernamed being thereunto authorized, doe preſent and ſigne this Remonſtrance in the behalfe of the Catholiques of Ireland, dated this 17th day of March, 1642,

Gormanſton, Lucas Dillon,
Robert Talbott, John Walſh.

According to your majeſtie's commiſſion to us directed, we have received this

this Remonſtrance, ſubſcribed by the Lord Viſcount Gormanſton, Sir Lucas Dillon, Knight, Sir Robert Talbott, Bart. and John Walſh, Eſq. authoriſed by, and in the behalfe of the recuſants of Ireland, to preſent the ſame unto us, to be tranſmitted to your ſacred majeſty, dated the 17th day of March, 1642.

Clanrickard and St. Albans, Roſcommon,
Moore, Mau. Euſtace.

No. XXIX.

(*Page* 144.)

WHEREAS his majeſty's moſt faithful ſubjects, the confederate Catholics of Ireland, were enforced to take arms, for the preſervation of their religion, for the defence of his majeſty's juſt prerogative and rights, and for the maintenance of the rights and liberties of their country, laboured to be deſtroyed by the malignant party; and whereas his majeſty in his high wiſdom, and in his princely care of his ſaid ſubjects welfare and ſafety, and their humble ſuit, that his majeſty might be graciouſly pleaſed to hear their grievances, and vouchſafe redreſs therein, did direct there ſhould be a ceſſation of arms, and thereupon did direct the Right Honourable the Marquis of Ormond, to treat of, and conclude the ſaid ceſſation with the ſaid confederate Catholics; Know ye, that the ſupreme council, by expreſs order and authority of the ſaid Catholics, by them conceived and granted in their general aſſembly at Kilkenny, on the 20th day of the laſt month of May; and in purſuance of the ſaid order and authority, repoſing ſpecial truſt and confidence in the wiſdom, circumſpection, and provident care, honour, and ſincerity of our very good lords, Nicholas Lord Viſcount Gormanſtown, Donough Lord Viſcount Muſkerry, and our well-beloved Sir Lucas Dillon, Knight; Sir Robert Talbot, Bart. Tirlagh O'Niel, Eſq. Geoffry Brown, Eſq. Ever. Macgennis, Eſq. and John Walſh, Eſq. have conſtituted, appointed, and ordained the ſaid Nicholas Lord Viſcount Gormanſtown, Donough Lord Viſcount Muſkerry, &c. our commiſſioners; and do by theſe preſents give and grant to our commiſſioners, or any five or more of them, full power and authority to treat with the ſaid Lord Marquis of Ormond, of a ceſſation of arms, for

one

one whole year, or ſhorter, and to conclude the ſame for the time aforeſaid, upon ſuch terms, conditions, or articles, as to the commiſſioners aforeſaid, in their judgments, conſciences, and diſcretions, ſhall be thought fit and expedient; by theſe preſents ratifying and confirming whatever act or acts our commiſſioners ſhall do or execute concerning the ſaid ceſſation. Given at Kilkenny, the 23d of June, 1643.

Mountgarret,
Caſtlehaven, Audly,
Malach. Archiep. Tuam.
Fleming, Archiep. Dub.
Maurit. de Rupe et Fermoy,
Nettervile,
Nich. Plunkett,
Edmund Fitzmorrice,
Patrick Darcy,
Robert Lynch,
Richard Belling.

No. XXX.

The KING *to the* MARQUESS OF ORMONDE, *ſent by* MR. BRENT. (*P.*145.)

ORMONDE,

THIS honeſt bearer, Mr. Brent, going about my ſpecial ſervice, I thought it neceſſary to recommend him and his buſineſs to you. It is chiefly for a ſupply of powder, which, on my word, is of more conſequence for my ſervice, than is fit for me to tell you by writing. I ſhall ſay no more for this time; but that very ſhortly you ſhall have full power and inſtructions to make the Iriſh peace, by Brian O'Neile. So I reſt,

Your moſt aſſured, conſtant, real friend,

Bewdly, 13 *June*, 1644. CHARLES R.

The KING *to the* MARQUESS OF ORMONDE, *ſent by* SIR BRIAN O'NEIL.

ORMONDE,

I AM not ignorant how hard a part I put upon you in transferring to you the treaty, and the power to conclude peace with the Iriſh: nor would I have you ignorant of that neceſſity in the condition of my

my affairs here, which inforces me to it; and therefore I have commanded Digby to inform you more at large. I ſhall only ſay thus much to you, that I conſider you as a perſon ſo entirely addicted to my ſervice, as that you will not be deterred by difficulties from what may ſo much conduce to it, as the eaſing me at preſent of that treaty; wherein if I ſhould do that here, which perhaps may be neceſſary there (even to the preſervation of the kingdom), it might, through indiſpoſition here, be of dangerous conſequence to the main of my affairs. And I am very confident, that you will be ſecured from all apprehenſions concerning yourſelf in the reſolution to run the ſame fortune with me, which if it pleaſe God, that it prove good, you may promiſe yourſelf ſuch a part in, as may be obtayned by your having me for

Your moſt aſſured, conſtant friend,

Bath, 17 *July*, 1644. CHARLES R.

The KING *to the* MARQUESS OF ORMONDE, *ſent by the* EARL OF GLAMORGAN.

ORMONDE,

MY Lord Herbert having buſineſs of his own in Ireland (wherein I deſire you to do him all lawful favor and furtherance), I have thought good to uſe the power I have, both in his affection and duty, to engage him in all poſſible ways, to further the peace there; which he hath promiſed to do. Wherefore (as you find occaſion) you may confidently uſe and truſt him in this, or any other thing he ſhall propound to you for my ſervice; there being none, in whoſe honeſty and zeal, to my perſon and crown, I have more confidence. So I reſt,

Your moſt aſſured, conſtant friend,

Oxford, 27 *Dec.* 1644. CHARLES R.

To this lettter was added the following poſtſcript in cypher:

His honeſty or affection to my ſervice will not deceive you; but I will not anſwer for his judgment.

The

The KING *to the* MARQUESS OF ORMONDE.

ORMONDE,

UPON the great rumours and expectations which are now of a peace, I think it neceſſary to tell you the true ſtate of it, leſt miſtaken reports from hence might trouble my affairs there.

The rebels here have agreed to treat, and moſt aſſuredly one of the firſt and chiefeſt articles they will inſiſt on, will be to continue the Iriſh war; which is a point not popular for me to break on; of which you are to make a double uſe; firſt, to haſten (with all poſſible diligence) the peace there; the timely concluſion of which, will take off that inconvenience, which otherwiſe I may be ſubject to, by the refuſal of that article upon any other reaſon. Secondly, by dexterouſly conveying to the Iriſh the danger there may be of their total and perpetual excluſion from thoſe favours I intend them, in caſe the rebels here clap up peace with me upon reaſonable terms, and only exclude them; which poſſibly were not counſellable for me to refuſe, if the Iriſh peace ſhould be the only difference betwixt us, before it were perfected there. Theſe, I hope, are ſufficient grounds for you to perſuade the Iriſh diligently to diſpatch a peace upon reaſonable terms, aſſuring them, that you having once engaged to them my word in the concluſion of a peace, all the earth ſhall not make me break it. But not doubting of a peace, I muſt again remember you to preſs the Iriſh for their ſpeedy aſſiſtance to me here, and their friends in Scotland; my intention being to draw from thence into Wales (the peace once concluded) as many as I can of my armed Proteſtant ſubjects, and deſire, that the Iriſh would ſend as great a body as they can to land about Cumberland; which will put thoſe northern counties into a brave condition. Wherefore you muſt take ſpeedy order to provide all the ſhipping you may, as well Dunkirk, as Iriſh, bottoms; and remember, that after March it will be moſt difficult to tranſport men from Ireland to England, the rebels being maſters of the ſeas.

So expecting a diligent and particular account in anſwer to this letter, I reſt,

Your moſt aſſured friend,

9th June, 1644. CHARLES R.

The

The KING *to the* MARQUIS *of* ORMONDE.

ORMONDE,

I AM ſorry to find by Colonel Barry the ſad conditions of your particular fortune, for which I cannot find ſo good and ſpeedy remedy as the peace of Ireland (it being likewiſe moſt neceſſary to redreſs my affairs here); wherefore I command you to diſpatch it out of hand; for the doing of which, I hope my public diſpatch will give you ſufficient inſtruction and power, yet I have thought it neceſſary (for your more encouragement in this neceſſary work) to make this addition with my own hand.

As for Poyning's Act, I refer you to my other letter; and for matter of religion, though I have not found it fit to take public notice of the paper, which Browne gave you, yet I muſt command you to give him, the Lord Muſkery and Plunket particular thanks for it, aſſuring them that without it there could have been no peace, and that ſticking to it, their nation in general, and they in particular, ſhall have comfort in what they have done. And to ſhew, that this is more than words, I do hereby promiſe them (and command you to ſee it done) that the penal ſtatutes againſt Roman Catholicks ſhall not be put in execution, the peace being made, and they remaining in their due obedience. And further, that when the Iriſh give me that aſſiſtance, which they have promiſed, for the ſuppreſſing of this rebellion, and I ſhall be reſtored to my rights, then I will conſent to the repeal of them by a law.

But all thoſe againſt appeals to Rome and Præmunire muſt ſtand. All this in cypher you muſt impart to none but thoſe three already named, and that with injunction of ſtricteſt ſecrecy.

So again recommending to your care the ſpeedy diſpatch of the peace of Ireland, and my neceſſary ſupply from thence, as I wrote to you in my laſt private letter, I reſt

Your moſt aſſured conſtant friend,

Oxford, 18 *Jan.* 1644-5. CHARLES R.

In caſe, upon particular mens fancies, the Iriſh peace ſhould not be procured upon the powers I have already given you, I have thought fit to give you this further order (which I hope will prove needleſs), to endeavour to renew the ceſſation for a year; for which you ſhall promiſe the Iriſh (if you

 can

can have it no cheaper) to join with them againſt the Scots and Inchiquins; for I hope by that time, my condition may be ſuch as the Iriſh may be glad to accept leſs, or I able to grant more.

No. XXXI.

(*Page* 151.)

CHARLES by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, &c. to our right truſty and right well-beloved couſin, Edward Somerſet, alias Plantagenet, Lord Herbert, Baron Beauford of Caldicote, Griſmond, Chepſtow, Ragland, and Gower, Earl of Glamorgan, ſon and heir apparent of our intirely beloved couſin Henry Earl and Marquis of Worceſter, greeting. Having had good and long experience of your proweſs, prudence, and fidelity, do make choice, and by theſe nominate and appoint you, our right truſty and right well-beloved couſin, Edward Somerſet, &c. to be our generaliſſimo of three armies, Engliſh, Iriſh, and foreign, and admiral of a fleet at ſea, with power to recommend your lieutenant-general for our approbation, leaving all other officers to your own election and denomination, and accordingly to receive their commiſſions from you; willing and commanding them, and every of them, you to obey, as their general, and you to receive immediate orders from ourſelf only. And leſt through diſtance of place we may be miſinformed, we will and command you to reply unto us, if any of our orders ſhould thwart or hinder any of your deſigns for our ſervice. And there being neceſſary great ſums of money to the carrying on ſo chargeable an employment, which we have not to furniſh you withal; we do by theſe impower you to contract with any of our loving ſubjects of England, Ireland, and dominion of Wales, for wardſhips, cuſtoms, woods, or any our rights and prerogatives; we by theſe obliging ourſelves, our heirs, and ſucceſſors, to confirm and make good the ſame accordingly. And for perſons of generoſity, for whom titles of honour are moſt deſirable, we have intruſted you with ſeveral patents under our great ſeal of England, from a marquis to a baronet, which we give you full power and authority to date and diſpoſe of, without knowing our further pleaſure, ſo great is our truſt and confidence in you, as that whatſoever you do contract

tract for or promiſe, we will make good the ſame accordingly, from the date of this our commiſſion forwards; which for the better ſatisfaction, we give you leave to give them, or any of them, copies thereof, atteſted under your hand and ſeal of arms. And for your own encouragement, and in token of our gratitude, we give and allow you henceforward ſuch fees, titles, preheminences, and privileges, as do and may belong unto your place and command above mentioned, with a promiſe of our dear daughter Elizabeth to your ſon Plantagenet in marriage, with three hundred thouſand pounds in dower or portion, moſt part whereof we acknowledge ſpent and diſburſed by your father and you in our ſervice; and the title of Duke of Somerſet to you and your heirs male for ever; and from henceforward to give the Garter to your arms, and at your pleaſure to put on the George and blue ribbon. And for your greater honour, and in teſtimony of our reality, we have with our own hand affixed our great ſeal of England unto theſe our commiſſion and letters, making them patents. Witneſs ourſelf at Oxford, the 1ſt day of April, in the 20th year of our reign, and the year of our Lord one thouſand ſix hundred and forty-four.

No. XXXII.

(*Page* 152.)

CHARLES R.

WHEREAS we have had ſufficient and ample teſtimony of your approved wiſdom and fidelity, ſo great is the confidence we repoſe in you, as that whatſoever you ſhall perform, as warranted under our ſign manual, pocket ſignet, or private mark, or even by word of mouth, without farther ceremony, we do in the word of a King and a Chriſtian, promiſe to make good, to all intents and purpoſes, as effectually, as if your authority from us had been under the great ſeal of England, with this advantage, that we ſhall eſteem ourſelves the more obliged to you for your gallantry, in not ſtanding upon ſuch nice terms to do us ſervice, which we ſhall, God willing, reward. And although you exceed what law can warrant, or any powers of ours reach unto, as not knowing what you have need of; yet it being for our ſervice, we oblige ourſelf, not only to give you our pardon, but to maintain the ſame

with all our might and power; and though either by accident, or by any other occaſion, you ſhall deem it neceſſary to depoſite any of our warrants, and ſo want them at your return, we faithfully promiſe to make them good at your return, and to ſupply any thing, wherein they ſhall be found defective, it not being convenient for us at this time to diſpute upon them; for of what we have here ſet down you may reſt confident, if there be faith and truth in men. Proceed therefore cheerfully, ſpeedily, and boldly; and for your ſo doing, this ſhall be your ſufficient warrant.

Given at our court at Oxford under our ſign manual and private ſignet, this 12th of January, 1644.

CHARLES R.

CHARLES by the grace of God, of England, Scotland, France, and Ireland, defender of the faith, &c. to our truſty and right well-beloved couſin, Edward Earl of Glamorgan, greeting. We repoſing great and eſpecial truſt and confidence in your approved wiſdom and fidelity, do by theſe (as firmly as under our great ſeal, to all intents and purpoſes) authorize and give you power, to treat and conclude with the Confederate Roman Catholics in our kingdom of Ireland, if upon neceſſity any be to be condeſcended unto, wherein our lieutenant cannot ſo well be ſeen in, as not fit for us at preſent publickly to own. Therefore we charge you to proceed according to this our warrant, with all poſſible ſecrecy, and for whatſoever you ſhall engage yourſelf, upon ſuch valuable conſiderations, as you in your judgment ſhall deem fit, we promiſe on the word of a King and a Chriſtian, to ratify and perform the ſame, that ſhall be granted by you, and under your hand and ſeal; the ſaid Confederate Catholics having by their ſupplies teſtified their zeal to our ſervice. And this ſhall be in each particular to you a ſufficient warrant. Given at our court at Oxford, under our ſignet and royal ſignature, the 12th of March, in the twentieth year of our reign, 1644.

No. XXXIII.

The KING's *Letter to the* ARCHBISHOP OF FERMO. (*Page* 152.)

SIR,

HEARING of your reſolution for Ireland, we do not doubt but that things will go well; and that the good intentions begun by means of the laſt Pope will be accompliſhed by the preſent, by your means, in our kingdom of Ireland and England, you joining with our dear couſin, the Earl of Glamorgan, with whom whatever you ſhall reſolve, we ſhall think ourſelves obliged to, and perform it at his return. His great merits oblige us to this confidence, which we repoſe in him above all, having known him above twenty years; during which time he has always ſignally advanced himſelf in our good eſteem, and by all kinds of means carried the prize above all our ſubjects. This being joined to the conſideration of his blood, you may well judge of the affection, which we have particularly for him, and that nothing ſhall be wanting on our part, to perfect what he ſhall oblige himſelf to in our name, in conſideration of the favors received by your means. Confide therefore in him; but in the mean while, according to the directions we have given him, how important it is, that the affair ſhould be kept ſecret, there is no occaſion to perſuade you, nor to recommend it to you, ſince you ſee, that the neceſſity of the thing itſelf requires it. This is the firſt letter we have ever written immediately to any miniſter of ſtate of the Pope, hoping, that it will not be the laſt; but that after the ſaid earl and you ſhall have concerted your meaſures, we ſhall openly ſhew ourſelf, as we have aſſured him,

Your friend,

CHARLES R.

From our Court at Oxford, 30th April, 1645.

Extract of a Letter to the QUEEN, *dated the 2d of March,* 1645, *from Cardinal Pamphilio, delivered to her Majeſty at Paris, by Signor Spinola, in which his Eminence obſerved,*

THAT he had been lately informed, how extremely deſirous the king and queen of England were of a peace with the Iriſh, that they might have the aſſiſtance

aſſiſtance of that nation in the diſtreſſed ſituation of their affairs in England: that this was likewiſe the moſt ardent wiſh of his holineſs and the nuncio now ſent by him, of the royal party in England, Ireland, and Scotland, both orthodox and heterodox, of the queen regent of France, and of Cardinal Mazarin, the miniſter of ſtate there: and that only the parliamentarian rebels and the heretics, who adhered to them (for there was ſcarce any one Catholic, who did not eſpouſe the royal cauſe) were full of dreadful apprehenſions, leſt the king ſhould triumph by the aſſiſtance of the Catholics, eſpecially the Iriſh; ſince thoſe moſt profligate of all rebels ſince the creation being deteſted by and deteſting the Iriſh, preſaged nothing but their own abſolute deſtruction from ſuch an event.

No. XXXIV.

Letter of the MARQUIS OF ORMOND *to the* LORD MUSKERRY. (*P.* 152.)

MY LORD,

THOUGH I am perſwaded, that the points, which you and the other deputies have agreed to in the preſence of my Lord Glamorgan and myſelf, are ſtill freſh in your memory: yet conſidering, that the weight and importance of a timely execution of the buſineſs, which you then were inclined to expedite, is now twice as great as it was before, on account as well of ſome incidents, which have lately happened in England, as of your own ſecurity, and obſerving, that in our meeting on this affair you expreſſed a deſire, that I ſhould act in concert with my Lord Glamorgan; I think it neceſſary, that I ſhould remind, and in this way acquaint your lordſhip with that, which I could not inſiſt on in his lordſhip's preſence, without offending his modeſty, and incurring the imputation of flattery. What I have to ſay in ſhort is this, that I know no ſubject in England, upon whoſe favour and authority with his majeſty, and real and innate nobility you can better rely, than upon his lordſhip's; nor (if that has any weight with you) any perſon, whom I would more endeavour to ſerve in thoſe things, which he ſhall undertake for the ſervice of his majeſty, or with whom I ſhall ſooner agree for the benefit of this kingdom. I reſt,

Your lordſhip's

Moſt affectionate ſervant and brother,

Dublin, Auguſt 11, 1645. ORMONDE.

No. XXXV.

The Preamble to and Conditions of the ſecret Treaty of the Confederates concluded with the Earl of Glamorgan on the 25th of Auguſt, 1645-6.
(*P.* 153.)

WHEREAS much time has been ſpent in meetings and debates, between his Excellency James Lord Marquis of Ormonde, lord lieutenant and general governor of his majeſty's kingdom of Ireland, commiſſioner to the king's moſt excellent majeſty Charles, by the grace of God, king of Great Britain, France, and Ireland, &c. for the treating and concluding of a peace in the ſaid kingdom with his majeſty's humble and loyal ſubjects, the confederate and Roman Catholics of the ſaid kingdom of Ireland, of the one part, and the Right Honourable Donogh Lord Viſcount Muſkerry, and others, commiſſioners deputed and authoriſed by the ſaid confederate Roman Catholic ſubjects of the other part: and thereupon many difficulties did ariſe, by occaſion whereof ſundry matters of weight and conſequence, neceſſarily requiſite to be condeſcended unto by his majeſty's ſaid commiſſioner for the ſafety of the ſaid confederate Roman Catholics, were not hitherto agreed upon; which retarded, and doth as yet retard, the concluſion of a firm peace and ſettlement in the ſaid kingdom: and whereas the Right Honourable Edward Earl of Glamorgan is intruſted and authoriſed by his moſt excellent majeſty, to grant and aſſure to the ſaid confederate Catholic ſubjects further grace and favours, which the ſaid lord lieutenant did not as yet in that latitude, as they expected, grant unto them; and the ſaid earl having ſeriouſly conſidered of all means and due circumſtances of the great affairs now in agitation, which is the peace and quiet of the ſaid kingdom, and the importance thereof in order to his majeſty's ſervice, and in relation to a peace and ſettlement in his other kingdoms; and here, upon the place, having ſeen the ardent deſire of the ſaid Catholics to aſſiſt his majeſty againſt all, that do or ſhall oppoſe his royal right or monarchic government, and having diſcerned the alacrity and chearfulneſs of the ſaid Catholics to embrace honourable conditions of peace, which may preſerve their religion and other juſt intereſts: in purſuance therefore of his majeſty's authority under his highneſs's ſignature royal and ſignet, bearing date at Oxon, the 12th of March, in the twentieth year of his majeſty's reign, granted unto the ſaid Earl of Glamorgan; the tenour whereof is as followeth, viz. Charles R. &c. [*ut ſupra.*]

By

By this treaty it was accorded and agreed between the ſaid Earl of Glamorgan for and on behalf of his majeſty, his heirs and ſucceſſors on the one part, and Richard Lord Viſcount Mountgarret, lord preſident of the ſupreme council of the confederate Catholics, Donogh Lord Viſcount Muſkerry, &c. commiſſioners appointed by the ſaid confederate Roman Catholics, on the other part:

1ſt. That all the profeſſors of the Roman Catholic religion in Ireland ſhall enjoy the free and public uſe and exerciſe of their religion.

2d. That they ſhall hold and enjoy all the churches by them enjoyed within that kingdom, or by them poſſeſſed at any time ſince the 23d of October, 1641, and all other churches in the ſaid kingdom, other than ſuch, as are now actually enjoyed by his majeſty's Proteſtant ſubjects.

3d. That all Roman Catholics ſhall be exempted from the juriſdiction of the Proteſtant clergy; and that the Roman Catholic clergy ſhall not be puniſhed or moleſted for the exerciſe of their juriſdiction over their reſpective Catholic flock.

4th. That the following act ſhall be paſſed in the next parliament to be holden in Ireland. [Here is inſerted the form of an act for ſecuring all the king's conceſſions to the Catholics.]

5th. That the Marquis of Ormonde, or any others, ſhall not diſturb the profeſſors of the Roman Catholic religion in poſſeſſion of the articles above ſpecified.

6th. The Earl of Glamorgan engages his majeſty's word for the performance of thoſe articles.

7th. That the public faith of the kingdom ſhall be engaged unto the ſaid earl by the commiſſioners of the confederate Catholics, for ſending ten thouſand men by order and public declaration of the general aſſembly at Kilkenney, armed, the one half with muſkets, and the other half with pikes, to ſerve his majeſty in England, Wales, or Scotland, under the command of the ſaid Earl of Glamorgan, as lord general of the ſaid army; which army is to be kept together in one intire body; and all other the officers and commanders of the ſaid army are to be named by the ſupreme council of the ſaid confederate Catholics, or by ſuch others, as the general aſſembly of the ſaid confederate Catholics of Ireland ſhall intruſt therewith.

The Iriſh commiſſioners engaged their word and faith of the ſupreme council of Kilkenny, that two thirds of the clergy's revenue ſhould be employed for

for the ſpace of three years towards the maintenance of the ten thouſand men, the other third being reſerved for the clergy's ſubſiſtence.

There was likewiſe an explanation of the article, concerning the clergy-livings; upon which the following inſtrument was made:

" Whereas in theſe articles touching the clergy-livings, the Right Honour " able the Earl of Glamorgan is obliged in his majeſty's behalf to ſecure the " conceſſions in theſe articles by act of parliament: We holding that manner " of ſecuring thoſe grants, as to the clergy-livings, to prove more difficult " and prejudicial to his majeſty than by doing thereof, and ſecuring thoſe " conceſſions otherwiſe, as to the ſaid livings, the ſaid earl undertaking " and promiſing in behalf of his majeſty, his heirs and ſucceſſors, as hereby " he doth undertake to ſettle the ſaid conceſſions, and ſecure them to the " clergy and their reſpective ſucceſſors, in another ſecure way, other than " by parliament at preſent, till a fit opportunity be offered for ſecuring the " ſame, do agree and condeſcend thereunto. And this inſtrument by his " lordſhip ſigned was, before the perfecting thereof, intended to that pur- " poſe, as to the ſaid livings, to which purpoſe, we have mutually ſigned this " endorſement. And it is further intended, that the Catholic Clergy ſhall " not be interrupted by parliament, or otherwiſe, as to the ſaid livings, con- " trary to the meaning of theſe articles."

The earl added alſo the following proteſtation or oath: " I Edward, Earl " of Glamorgan, do proteſt and ſwear, faithfully to acquaint the king's moſt " excellent majeſty, with the proceedings of this kingdom, in order to his " ſervice, and to the endearment of this nation, and punctual performance of " what I have (as authorized by his majeſty) obliged myſelf to ſee performed; " and, in default, not to permit the army intruſted to my charge to adven- " ture itſelf, or any conſiderable part thereof, until theſe conditions from his " majeſty and by his majeſty be performed. GLAMORGAN."

But the general aſſembly at Kilkenny, being apprehenſive, that the execution of this treaty of peace might meet with oppoſition from a Proteſtant Lord Lieutenant, made the following order, on the 28th of Auguſt, 1645, viz. " The General Aſſembly order and declare, that their union and oath of aſſociation ſhall remain firm and inviolable, and in full ſtrength, in all points, and to all purpoſes, untill the articles of the intended peace ſhall be ratified in parliament, notwithſtanding any proclamation of the peace, &c.

No. XXXVI.

Letter from the MARQUIS *of* ORMOND *to the* EARL *of* GLAMORGAN. (*Page* 153.)

MY LORD,

I RECEIVE your gratulation and advices for my future ſecurity, as evident teſtimonys of your continued favour to mee, and am much joyed to finde, that the accidents fallen out concerning your lordſhip have not left any impreſſion on you to the prejudice of the real affection you give me leave to bear you.

My lord, I had, according to my promiſe, given you a large accoumpt of things here, but that at the concluding of the articles wee found ourſelves ſoe ſtreightned in time, that many material partes of the agreement were faine to bee put in another way, than was firſt thought of; and at this inſtant I am ſoe preſſed with important diſpatches from Kilkenny, that I ſhall bee able but ſhortly and confuſedly to give you a returne to the main parte of your lordſhip's of the third of this month, which came to my hands yeſterday about noone.

Touching the noble and large offer you are pleaſed to make of ſhipping, armes, ammunition, and traine of artillery for the king's ſervice, in caſe you may receive aſſurances from thoſe in power among the confederates and from me, that ten thouſand men ſhall be ready againſt your returne to be tranſported to ſerve the king in England, I returne your lordſhip this anſwer, that I ſhall and by this letter doe cheerefully oblige myſelf for as much as ſhall be in my power, either in my publick or private capacity, to have that number of men in readineſs you expect; and to compoſe it, am contented all the remainder of my fortune ſhould ſtand engaged. If your lordſhip can procure as much as this from the other party, I conceive you will proceed in your intended voiage with ſatisfaction, and returne I hope with ſucceſſe, which is earneſtly wiſhed by

Your lordſhip's
Moſt faithfull
And affectionate
And humble ſervant,

Dub. Caſt. the 6th of April, 1646.

ORMOND.

To the Right Honourable my very good Lord the Earl of Glamorgan, att Waterford.

No. XXXVII.

(*Page* 154.)

HERBERT,

YOUR's of the firſt of December has given me a juſt reaſon for your abſence: but certainlie I have juſter cauſe to requyre your attendance; for it is well known, how that you ar to give me account of matters, not onlie for my owen particular uſe, but lykewais for the good of the kingdome. Wherefor I requyre you repaire hither with all convenient diligence; and the reather, that you may the better fynde out the authors of thoſe lying and ſcandlous pamflets concerning your father and you; touching which I not onlie promiſe you protection to your innocencie, but juſtice againſt thoſe offenders; aſſeuring you lykewiſe, that I ſhall be ſo myndful of you, that, if I live, you ſhall neither be a looſer in, nor repent you for, the ſervices you have done me. And ſo I reſt

Your aſſeured friend,

Whythall, the 11*th of December*, 1641. CHARLES R.

I ſend you herein the paper, that I could not fynde, when ye was laſt with me.

HERBERT,

YOUR ſervices ar expreſſed to me in ſo noble a way, that I cannot but acknowled it to you under my owen hand, and that I ſhall thinke myſelfe very unhappie, if I did not live, by reall teſtimonies, to expreſs my gratitud to you. For the blankes, I have ſent them according to your deſyre: and for your ſiſter Carnarvan, though I cannot punctuallie anſwer your expectation therein, yet I hope you will be ſatisfied with the anſwer you will receive by your couſin Sir John Biron; to whom referring myſelf for manie things I have not tyme to write, I reſt

Your moſt aſſeured frend,

Royſton, 6th March, 1641. CHARLES R.

HERBERT,

I INTRUSTED your couſin Biron with the particular anſwers to your letter; reſerving only to myſelfe to aſſeur you, that I

eſteeme your ſerviſes ſuch, as my words cannot expreſs them, but by ſhewing myſelfe at all occaſions to be

Your moſt aſſeured conſtant frend,

York, 9th May, 1642. CHARLES R.

GLAMORGAN, *Hereford, 23d June,* 1645.

I AM glad to heare, that you ar gone to Ireland; and aſſure you, that as myſelfe is no wais diſhartened by our late misfortune, ſo neither this country: for I could not have expected more from them, than they have now freely undertaken, though I had come hither abſolute victorious; which makes me hope well of the neighbouring ſheeres. So that (by the grace of God) I hope ſhortly to recover my late loſſe with advantage, if ſuch ſuccours come to me from that kingdom, which I have reaſon to expect. But the circumſtance of tyme is that of the greateſt conſequence; being that, which is now chieflieſt and earneſtlieſt recommended to you by

Your moſt aſſeured conſtant friend,

CHARLES R.

GLAMORGAN,

I MUST clearly tell you, bothe you and I have been abuſed in this buſineſs; for you have beene drawen to conſent to conditions much beyound your inſtructions, and your treaty hath beene divulged to all the world. If you had advyſed with my lord lieutenant (as you promiſed me), all this had beene helped. But we muſt looke forward. Wherefore in a word, I have commanded as much favor to be ſhowen to you, as may poſſibly ſtand with my ſervice or ſafty, and if you will yet truſt my advyce, (which I have commanded Digby to give you freely) I will bring you ſo off, that you may be ſtill uſefull to me; and I ſhall be able to recompence you for your affection: if not, I cannot tell what to ſay. But I will not doubt of your complyance in this; ſince it ſo highly concerns the good of all my crowns, my owen particular, and to make me have ſtill means to ſhew myſelfe

Your moſt aſſeured friend,

Oxford, 3d February, 1645. CHARLES R.

HERBERT,

I AM confident, that this honneſt truſty bearer will give you good ſatisfaction, why I have not in every thing done as you deſyred, the want of confidence in you being ſo far from being the cauſe thereof, that I am every day more and more confirmed in the truſt, that I have of you. For believe me, it is not in the power of any to make you ſuffer in my opinion by ill offices. But of this, and diverſe other things, I have given Sir John Winter ſo full inſtructions, that I will ſay no more, but that I am,

Your moſt aſſeured friend,

Oxford, 28th Feb. 1645. CHARLES R.

GLAMORGAN,

I HAVE no tyme, nor do you expect, that I ſhall make unneceſſary repetitions to you. Wherefore (referring to Digby for buſineſs) this is only to give you aſſeurance of my conſtant frendſhip to you; which conſidering the general defection of common honeſty, is in a ſort requiſite. Howbeit, I know you cannot bee confident of my making good all inſtructions and promiſes to you and the nuncio.

Your moſt aſſeured friend,

Oxford, 5th April, 1646. CHARLES R.

HERBERT,

AS I doute not but you have too much courage to be diſmayed or diſcouraged at the uſage ye have had; ſo I aſſure you, that my eſtimation of you is nothing diminiſhed by it, but rather begets in me a deſyre of revenge and reparation to us bothe, (for in this I hould myſelfe equally intereſted with you). Wherefor, not douting of your accuſtomed care and induſtry in my ſervice, I aſſure you of the continuance of my favor and protection to you; and that in deeds more than words, I ſhall ſhew my ſelf to bee

Your moſt aſſeured conſtant friend,

Oxford, 6th April, 1646. CHARLES R.

No.

No. XXXVIII.

The State of his Majeſty's Affairs, and the Condition of his faithful Subjects in the Kingdom of Ireland, 12th April, 1651. (*Page* 165.)

THAT the power and ſucceſs of the rebels hath been ſuch, as the whole nation is now in their poſſeſſion, or ſubject to their contribution, except the province of Conaught, and the county of Clare, and his majeſty's city of Limerick and town of Galway; that the ſaid province of Conaught and county of Clare, are for the moſt part waſte, by the continuance of that heavy burthen the war has brought on them, and by incurſions of the rebels. That the rebels having an over-maſtering power in all parts of the kingdom, other than the ſaid province of Conaught and county of Clare, many of his majeſty's forces, that hitherto had their relief out of their quarters, have been forced for their ſafety to retire to the ſaid province of Conaught and county of Clare, which together with the forces maintained there formerly, are become ſo burthenſome to the people, as that they are thereby utterly impoveriſhed. The nation being in this extremity, no conſiderable forces can be brought together to maintain even a defenſive war againſt the rebels, much leſs an offenſive; and had not the river of Shannon been an interruption to the rebels incurſions, ſince October or November laſt, till this preſent, it is very evident, that the rebels had e'er this, over-run the province of Conaught and county of Clare, and conſequently would bring under their power the city of Limerick and town of Galway. The ſaid city of Limerick and town of Galway, obſerving all other, his majeſty's cities and towns of ſtrength within the kingdom, to be loſt; and how, that there was no conſiderable army of his majeſty's forces within the kingdom to relieve them, in caſe they were beſieged, or any probability, for want of means, to bring any ſuch army into a body; have of a long time, out of the feeling ſenſe they had of their own deſtruction, been inclined to treat for conditions with the rebels, before the danger might come nearer them, and before the ſaid province of Conaught and county of Clare were over-maſtered by the rebels power, as the reſt of the kingdom was. This was not only the ſtudy and apprehenſion of the ſaid towns, but was alſo the reſolution of moſt others that could not humanly ſee how they might be otherwiſe preſerved: and it was by very great endeavours and induſtry, that the general aſſembly held at Loghreah,

Loghreah, in January laſt, was with-held from treating for conditions with the rebels. Many of the officers of his Majeſty's army, finding the ſad condition the nation was reduced into, not able to keep any conſiderable forces in a body to oppoſe the rebels, did, from ſeveral parts of the kingdom, repreſent their ſenſe, that it was abſolutely neceſſary for the people's preſervation, to treat with the rebels for conditions, ſeeing there was no power to reſiſt them. The general deſperation in all perſons and places hitherto under his majeſty's obedience, did ſo change the reſolutions of the people, as they parted with nothing willingly to maintain the forces, each one looking after the ways of his particular ſubſiſtance; and the city of Limerick and town of Galway, either for fear to inſenſe the rebels the more, or to advantage themſelves in ſuch conditions, as ſhould be had from the rebels, did not afford ſo ready and clear obedience to his majeſty's authority as accuſtomed. His Highneſs the Duke of Lorrain's ambaſſador arriving here, and it being given out, that he came with offers of powerful aſſiſtance for the preſervation of the Catholic religion, his majeſty and ſubjects intereſt: the people took much comfort and encouragement thereby, hoping that the rebels power might be oppoſed; and ſoon after did the ſaid towns and all other places, yet in his majeſty's obedience, ſeem more chearfully, than before, to aſſiſt his majeſty's authority, in oppoſing the rebels, and to diſavow and diſclaim any treaty with the rebels, though formerly inclined, if not reſolved. His excellency the lord deputy, underſtanding that ſome aids might be had for the preſent relief of his majeſty's forces, did give audience to the ſaid ambaſſador; and though the letters he brought were not to the lord deputy, nor any having his majeſty's authority; yet he having publicly avowed, that his maſter knew not his majeſty's authority was intruſted with any in this kingdom; and that if he had known ſo much, he would have made his application by letter to him, with whom that authority was intruſted; his lordſhip therefore authorized ſome of the prelates and commiſſioners of truſt to treat with him; and was content, that the prelates, nobility, and other perſons of quality, then in or near Galway, and agents of the city of Limerick and town of Galway, might meet to conſult of that affair; and repreſent their ſenſe thereupon to his excellency: who being accordingly called together, and conſiſting of very many of the prelates, nobility, and gentry, out of ſeveral parts of the kingdom; at which meeting alſo the agents of the ſaid city of Limerick and town of Galway were preſent, and ſeveral officers of the army; who after a

long

long and ſerious debate of the matter propoſed by his highneſs's ambaſſador; they weighing the unavoidable danger the nation was in of falling into the rebels power; and how the people, if not ſuddenly aſſiſted, were much impoveriſhed, as they would be utterly deſtroyed, or enforced to ſubmit to the rebels; and conſidering that his majeſty was not in condition to relieve them, nor could application with ſafety be made unto him; did therefore adviſe, and were of opinion, ſeeing his highneſs the Duke of Lorrain made it his care to preſerve the Catholick religion, and the people's intereſt, and to recover from the rebels what they poſſeſſed, that it was abſolutely neceſſary to accept of his ſaid highneſs's protection: but the ſaid ambaſſador's propoſitions being ſuch as his excellency the lord deputy could not aſſent unto, the ſaid ambaſſador was induced (taking caution for the preſent ſupplies) to agree, that the treaty and concluſion for further ſupplies, and the propoſals made in the Duke of Lorrain's behalf, might be put over to be determined by his highneſs, or ſuch as he would depute, and ſuch as now ſhould be authorized by the lord deputy in his majeſty's behalf. The preſent ſupplies had, do not much amend the condition of his majeſty's affairs in this kingdom: and if ways may not be found to haſten very ſuddenly further and more conſiderable ſupplies, what is left of the whole, yet in his majeſty's obedience, will ſoon be in the poſſeſſion and power of the rebels, the ſeaſon of the year being now ſuch as the rebels may in many places on the Shannon make their incurſions, and draw their forces into the ſaid province of Conaught and county of Clare; which they may the better effect, having not any forces conſiderable of his majeſty's army, that might diſturb them in the provinces of Munſter, Leinſter, or Ulſter; other than that the Lord Muſkerry, with ſome party in the county of Kerry, and borders of the county of Cork, giveth conſiderable diſturbance to the rebels deſigns in Leinſter; ſome ſmall parties only that cannot regularly be maintained in a body, do, when opportunity is offered, perform ſervice againſt weak or ſcattered parties of the rebels, but can attempt nothing againſt any conſiderable body of the rebels. And in Ulſter, though his majeſty's forces are numerous in foot, yet wanting horſe, and many unprovided for arms and having no regular way of maintenance, they can attempt little to diſtract the rebels forces in that province; that party of his majeſty's forces in Ulſter having lately, for want of horſe, received a conſiderable loſs upon a defeat near Fena; and by that means alſo the ſaid garriſon of Fena (being a conſiderable place) was loſt;

loſt; ſo that upon the whole matter, it is very evident how great the evils are, that will happen, if immediately great aids be not haſtened to this nation, for this kingdom will, by the fore-flowing thereof, be entirely in the enemies power and poſſeſſion, and the people univerſally inforced to ſubmit unto them, by which the rebels will have the opportunity to ſend from hence a great and conſiderable power, that may diſtract his majeſty's expected ſucceſs in England and Scotland, and be an occaſion of the loſs alſo of his majeſty's entire intereſt in both his ſaid other kingdoms.

No. XXXIX.

A Copy in Engliſh of His Majesty's *Letter to His Highneſs the* Duke of Lorrain, *dated the 6th of February; received the 8th of Auguſt*, 1652. (*Page* 165.)

Cousin,

WE have lately ſeen a letter from the deputy of Ireland, directed to our lieutenant of that our kingdom, now attending our perſon, together with certain overtures made and propoſed by ſome of our ſubjects, now at Bruſſels, to your highneſs, in order to the ſupply and relief of our ſaid kingdom, and oppreſſed ſubjects there: with which propoſitions or articles we were not in the leaſt degree made acquainted; nor was our deareſt mother the queen, our dear brother the Duke of York, or our lieutenant of Ireland, informed thereof, till within theſe very few days, when the ſaid articles were tranſmitted hither by our deputy of that our kingdom; albeit that they ſeem to be conſented unto by theſe gentlemen at Bruſſels, about the beginning of July laſt. We have been likewiſe informed by the teſtimony of the Lord Taaffe, and by the meſſage, which Father Dillon lately brought to us from your highneſs, with what affection and tenderneſs towards us your highneſs (according to your accuſtomed kindneſs and friendſhip to us) hath proceeded in this buſineſs; and that though the ſaid articles were freely ſubmitted, conſented to, and ſigned ſo long ſince by thoſe gentlemen on their part, and that your highneſs frankly undertook to perform any thing, that they had propoſed to, and expected from you, yet that your highneſs would not accept any of that power, or exerciſe any of that juriſdiction within that our

kingdom, which they had offered to you, nor ſo much as receive the ſaid articles ſigned by them, or ſuffer them to remain in any other hands but their own, till your highneſs ſhould receive our full approbation of all that had been offered: which was ſo generous and princely a way of proceeding, that we muſt always acknowledge it, amongſt thoſe high obligations, which we have ſo frequently received from your highneſs.

We perceive that the Marquis of Clanricarde, our deputy there, (who as he is very ſolicitous for our ſervice and concernment, ſo he is known to have always been as zealous for the Catholic religion, as any of our ſubjects of that nation, and muſt be preſumed to know the affections and intereſts of that people, as well as any, whatſoever others pretend) hath by his late addreſs to your highneſs (whereof we have ſeen a copy) preſented to your highneſs his opinion of the matter of the ſaid articles, and of the perſons who contrived them, and of the impoſſibility of receiving the intended fruit of your highneſs's favour by thoſe means; and therefore we ſhall ſay no more of either, having ſtill the more reaſon to remember the honour and juſtice of your highneſs, in refuſing to receive, without our conſent, what others ſo frankly without our leave offered to give. Nor do we ſo ſeverely interpret even thoſe offers, but do believe that they proceeded rather from the ſmart, anguiſh, and deſpair thoſe gentlemen felt, from the languiſhing and gaſping condition of their miſerable country, than from their want of affection and duty to us and our intereſt. It is very true, the miſeries and calamities, which have almoſt overwhelmed the kingdom, can hardly be expreſſed, which in a ſhort time, if ſome ſeaſonable and very timely ſupply and aſſiſtance be not applied, to ſtop the ſucceſs of our Engliſh rebels there, muſt probably be concluded in the utter extirpation of that nation, and the total rooting out the Catholic religion within that kingdom; to the free exerciſe whereof, many indulgencies, and large immunities and conceſſions, have been granted by us, even to the ſatisfaction of thoſe, who are moſt zealous promoters of it.

As all theſe ſufferings and afflictions of thoſe our ſubjects, whatſoever they are, or may grow to be, cannot in the leaſt degree be imputed to any fault or failing of our bleſſed father, or ourſelf; ſo we have left no means within our power unattempted to remedy the ſame, and are ſtill moſt ready to uſe our utmoſt endeavours to procure any relief for them. But we muſt confeſs, that in this ſad conjuncture of our affairs, which is enough known to the world, that work ſeems almoſt deſperate, without ſome conjunction in Catho-

lic.

lic princes, who for the preſervation of that religion, and out of compaſſion to ſo diſtreſſed a nation, may adminiſter ſome ſuch ſuccour, as may prevent the immediate ruin of that people, and keep the rebels from an entire poſſeſſion of that kingdom, until farther aſſiſtance may be applied to it. And how to procure any ſuch conjunction, we know no way ſo good, or hopeful, as by the mediation and example of your highneſs; who, beſides ſeveral other teſtimonies of your great affection to us, have lately given a full evidence of your particular princely care of that people, by ſending them ſuch an ample ſupply and aſſiſtance, as hath hitherto (next under God) alone preſerved them from being ſwallowed up by their and our enemies. And we are thereby eſpecially encouraged, not only to deſire your council, by what means or ways we ourſelves may beſt endeavour the relief of our poor Catholic ſubjects of that kingdom; but that your highneſs, by ſending thoſe ſuccours you intended, will continue your goodneſs and favour towards them to that degree, that they may be ſuſtained in a condition to contend with their enemies, until by other Catholic aſſiſtance (for the procuring whereof nothing ſhall be left undone on our part) they may be enabled to make a farther impreſſion upon the rebels, and to regain what they have loſt. And for the better carrying on ſo good a work, and to induce your highneſs to ſo charitable and chargeable an enterprize, as we have already confirmed the agreement made between our deputy of that our kingdom, and the abbot of St. Catharine, your highneſs's miniſter employed thither: ſo we are, and will be moſt ready to conſent to whatſoever ſhall be propoſed to be done on our part, which is conſiſtent with our kingly intereſt, and the obligations we ſtand bound in to all our good ſubjects. And your highneſs being eſpecially inclined to this glorious undertaking, by your zeal to the Catholic religion, we do give our royal promiſe to your highneſs, to conſent freely to whatſoever ſhall be neceſſary to the ſecurity of the ſame within that kingdom; and doubt not but we ſhall give all good Catholics all neceſſary ſatisfaction in that particular. And to that purpoſe, we ſhall appoint perſons of unqueſtionable affection to that religion, and of intereſt and credit with that nation, to attend your highneſs on our behalf, and in our name to conſent to what may promote this good deſign, as ſoon as we ſhall receive your highneſs's anſwer upon this our deſire: not doubting but that if you ſhould enter into a treaty with us (which we exceedingly deſire, we ſhall give ſuch content and ſatisfaction to your highneſs in whatſoever ſhall be propoſed, that will give a full encouragement to

you to enter upon ſo glorious an undertaking; I ſhall conclude, aſſuring you that I am,

Your moſt affectionate couſin,

Paris, February the 6th, 1652. CHARLES R.

No. XXXIX.*

A Liſt of the Nobility of Ireland in 1688. (*Page* 170.)

PROTESTANT.	CATHOLIC.	PROTESTANT.	CATHOLIC.
Duke of	*Marquis of*	*Viſcounts.*	
Ormond	Antrim	Grandiſon	Rathcoote
Earls.	*Earls.*	Wilmot	Bareford
Kildare	Clanrickarde	Loftus	Bronkart
Thomond	Caſtlehaven	Swords	Galmoy
Cork	Weſt Meath	Kilmurry	Kingſland
Deſmond	Fingall	Caſtleton	Gormanſtown
Barrymore	Caſtlemayne	Chamworth	Mayo
Meath	Carlingford	Sligo	Killmaſtock
Offory	Tyronne	Waterford	
Roſſcommon	Tyrconnel	Strangford	
Londonderry		Tuam	
Donnegal		Caſhel	
Arran		Carelow	
Conaway		Cullen	
Carberry		Shannon	
Ardglaſs		Dromoore	
Ranelagh		Mazarine	
Cavan		Kells	
Inchiquin		Dungannon	
Clancarty		Fitzharding	
Orrery		Clare	
Mountrath		Charlemont	
Drogheda		Powers	

PROTESTANT

PROTESTANT.	CATHOLIC.	PROTESTANT.	CATHOLIC.
Earls.	*Earls.*	*Viſcounts.*	
Waterford		Bleſſing Town	
Mount Alexander		Roſs	
Down		Liſsburne	
Longford			

PROTESTANT.	PROTESTANT.	PROTESTANT.	CATHOLIC.
Barons.	*Barons.*	*Barons.*	*Barons.*
Kinſale	Digbey	Killard	Athenry
Kerry	Lifford	Kingſton	Cahir
Hoath	Herbert	Colooney	Baltimore
Mountjoy	Loghlin	Santry	Strabane
Foliot	Coleraine	Clawnally	Dunſany
Maynard	Leitrim	Altram	
Gorges	Donmore	Biſhops 24	

No. XL.

The MARQUIS OF ORMOND *to the* KING. (*Page* 174.)

MAY IT PLEASE YOUR MAJESTY,

SOME of the conditions I was conſtrained to admit of, to procure a peace with this people, and the ſatisfaction I was forced to give the Engliſh party under the command of the Lord Inchiquin, to purchaſe their ſubmiſſion to it and conjunction with the Iriſh in your ſervice, though they were the only means, by which it was poſſible to bring your affairs to the hopeful ſtate, they were in before the defeat of Dublin; yet that and other misfortunes happening, thoſe compliances and the reſtraints they left upon your majeſty's authority, as they were in a great meaſure the moſt apparent cauſes of thoſe misfortunes, ſo are thoſe conditions to the Iriſh, the greateſt grounds of deſpair that now appear to me of holding on the war here.

The concluſion of a ſecond peace with Owen O'Neile and his party, which became abſolutely neceſſary, on the defection of moſt of the Engliſh towns

and

and forces in Munſter, and by the arrival and ſucceſs of Cromwell, though it have conſiderably aſſiſted the preſervation of the towns yet remaining, and ſeemed to be a probable means to unite this people, and remove the cauſe and ſupport of and diviſion amongſt them; yet the clergy, who perhaps think their ambition and avarice are not ſufficiently provided for and ſecured in the peace, and taking the Ulſter party (who have little juſtly to pretend to, and leſs in poſſeſſion) to be thoſe, upon whom they are moſt likely to prevail to caſt behind them all conſideration of loyalty to your majeſty, or love to their country, when either ſhall come in competition with their intereſt, do make uſe of their power, which is great every where, but chiefly in the towns, to keep the Ulſter party ſtrong, and out of it to garriſon all places of conſideration, and in this they have the aſſiſtance of ſome of the commiſſioners, by whoſe conſent, and not otherwiſe, forces are to be raiſed and maintained and towns garriſoned. If they can gain this point, either the towns muſt not be garriſoned at all, and then they are loſt as ſoon as looked upon; or if they be, it will be with a ſort of men, from whoſe ſucceſs your majeſty can expect no advantage, nor ever to be maſter of thoſe places, whatever the event be, but by ſubduing them; and but that perhaps it will not ſuit with the rebels' intereſt to come to their conditions. I doubt not but they might purchaſe any place that ſhall be thus ſecured, though it be made clear enough to the clergy and to the Ulſter party, that in the inſatiable deſire of uſurping all power into their hands, as it is moſt unjuſt, ſo it is moſt ruinous even to their own ends; ſince it muſt neceſſarily produce, firſt, a diſtruſt in, and then a diviſion of a great party from them; yet I do doubt, whether that will prevail to bring them to ſuch moderation, as to make it much more deſirable to have them than the rebels in poſſeſſion of thoſe towns.

Reaſons why it is better for the King's Service, and the Preſervation of the Nation, that I immediately attend his Majeſty, than ſtay here.

1. The diſtruſt wrought in the minds of the people by inſinuations of ſome factious perſons, rather countenanced than ſuppreſſed by moſt of the biſhops, and fortified by the giving up of Cahir, Gowling, and other places, where men, of near dependance upon and relation to me, were truſted, hath taken ſuch deep root in them, that there is ſmall hope, and now very little time

time or advantage to remove it; though the biſhops here preſent ſhould endeavour it never ſo really. By which means the king's authority will fall daily into more contempt, and will in a ſhort time loſe the remaining ſhew of reſpect, rather than obedience, that is yet paid unto it; and the people, believing themſelves betrayed, will think it vain to be perſuaded into action, which may render them incapable of conditions from the enemy; or if they be with much difficulty, perhaps with church-cenſures, gotten forth, it will be with deſpair not hope of ſucceſs, whilſt they ſuſpect their leader of having made conditions for himſelf upon their ruin; or if not, that being an heretic he cannot proſper. Theſe diſtruſts, and the union of the nation (if any thing can do it) will the one be removed, and the other eſtabliſhed by retiring; and it will be more for the king's ſervice, that ſome oppoſition be made againſt the enemy, though without dependence upon his authority (which I doubt is at leaſt held unfortunate) than that the people ſhould be totally ſubjected to the rebels without reſiſtance.

2. If the want of any diverſion in England, and of any ſupply hither, ſhall make it impoſſible in human appearance to reſiſt the undiſtracted force and deſign of the enemy, and that the towns and people obſerving this ſhall reſolve or be forced to ſubmit to conditions ſuch as they can get, then ſhall I, and as many men of honour and loyalty as will adhere to me, be neceſſitated to condition alſo, or (which is much better as to me) become a deſerted ſmall party, ſubject to the ſcorn of enemies of all kinds, and to the treachery of ſuch, as may give us up for their own indemnity, or ſome mean reward. Whereas if I be gone, it may be excuſable, nay fit for the beſt-affected, in caſe of extremity, to condition for themſelves; ſo their conditioning expreſs not an abſolute perpetual ſubjection to the rebels, but ſuch temporary compliance as may preſerve them in a ſtate with honour to reſume arms for his majeſty, when they find a probable opportunity.

3. I find, that none of the Proteſtants, but ſuch as are not in caſe to get off, or live elſewhere, will ſtay with us; and theſe will not be a number, that will be accounted a party. Now one of the greateſt advantages my perſon was or could be of to this nation was, what my intereſt with the Proteſtants gave me, which, if I ſtay, when they are gone will be wholly loſt; ſo as upon any change of the king's affairs for the better, it will not be in my power to ſave the beſt-affected, unleſs I keep myſelf with ſome eſteem with them.

4. My preſence at the tranſactions now in Holland may be of uſe to this kingdom,

kingdom, my ſtaying here can be of little ſervice. I am ready to leave his majeſty's authority with any, that are fit to manage it.

5. I conceive the garriſoning of Limerick and Galway (without which it ſeems not poſſible or prudent for any man to manage the war here) is principally refuſed in diſtruſt of me, and that when I am gone, they will be perſuaded to receive garriſons, which, of what party of Iriſh ſoever it be, will tend more to the preſervation of the nation, than to have none; though as to me in the preſent exerciſe of the king's authority, ſuch men are like to be fixed upon, as I will not truſt my ſelf with, and others I believe I ſhall not perſuade them to receive.

6. Thoſe, that would perſuade me, that the people's belief in me is in ſome meaſure ſuitable to my deſires to preſerve them, do attribute whatever appears to the contrary to the power they ſuppoſe my Lord Inchiquin has with me; and the diſtaſte is ſaid to be ſo great and general againſt him, that whilſt he is in power, or indeed upon the place, they will pretend diſſatisfaction and deſpair of ſucceſs. But I am not ſatisfied, that if he were removed, their diſtruſt of me would be ſo too; and I think not fit (upon ſuch uncertainties, as are the meaſures we can take of this people's reſolutions) to ſhew an indifference towards him, or a deſire to ſeparate from his intereſt, to whom I have ſome obligation, in reference to his ſeaſonable active endeavours for the king's ſervice, and his deſire to co-operate with me in it out of a confidence in my friendſhip and honeſty; ſo that for both of us to remove, I hope to be beſt for all intereſts. If he ſhould go alone, it is poſſible ſome ſharp expoſtulations, that have paſt betwixt him and thoſe intruſted by the nation, may ſharpen his relation of their carriage and intentions; and if he ſtay, he will neither truſt nor be truſted by them, and may think of ſome courſe for his ſafety, that may not ſuit with theirs.

7. My fortune being wholly loſt, and with it my credit for money, by which I ſupported myſelf ever ſince I came into the kingdom, I ſhall preſently fall into ſuch wants as will render the king's authority contemptible; if it were reaſonable to hope that the little remainder could ſupply me.

No. XLI.

Declaration of the Roman Catholics. (*Page* 175.)

1ſt. IT is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope or general councils have power to depoſe kings, or to abſolve their ſubjects from their allegiance.

On the contrary, it is by no means lawful for ſubjects, to oppoſe or uſe violence againſt their king, or his eſtabliſhed government, or to conſpire with his enemies directly or indirectly againſt him or the ſtate, under which they live, and by whom they are protected; and any ſubject who ſhould ſo tranſgreſs would become guilty of mortal and moſt heinous ſin before God, any ſuch act of diſpenſation or abſolution notwithſtanding.

2d. It is not and never was a doctrine or tenet of the Roman Catholic Church, that thoſe of her communion may break faith with, murder, plunder, or defraud thoſe of a different communion of religion.

On the contrary, ſuch is abominable and damnable doctrine, equally repugnant to the law of nature, and to the law of God, which obliges us to obſerve fidelity, honeſty, and charity, as ſtrictly towards thoſe of a different religion as towards thoſe of our own.

3d. It is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope has any direct or indirect authority or power over the temporal power and juriſdiction of princes.

On the contrary, if the pope ſhould pretend to diſpenſe with the allegiance of his majeſty's ſubjects, or invade his dominions, we would deem ſuch diſpenſation null and void, and all Catholic ſubjects if commanded or required, are bound in conſcience to defend their king and country, at the hazard of their lives and fortunes.

4th. It is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope or any power on earth can licence man to take falſe oaths, to lie, forſwear, or perjure themſelves on any account whatſoever, or to maſſacre their neighbours, cheat, or injure them or their native country, on pretence of promoting the Catholic religion, or for any other purpoſe whatſoever.

On the contrary, ſuch doctrine and tenets are condemned by our church as an unchriſtian, abominable, ſinful and wicked; and all pardons or diſ-

penſations alledged or pretended to be granted for any ſuch ends or purpoſes would be null and void, adding ſacrilege and blaſphemy to the crimes above mentioned.

No. XLII.

By the Lord Deputy and Council, A Proclamation. (*Page* 183.)

TYRCONNEL.

FORASMUCH as ſeveral perſons in the province of Ulſter, and town of Sligo, in this his majeſty's kingdom, have entered into ſeveral aſſociations, containing no leſs offence than high treaſon, and thereupon formed themſelves into ſeveral parties, dividing and marſhalling themſelves into ſeveral regiments, troops, and companies, marching well armed up and down the country, to the great terror of the king's liege people, in manifeſt breach of the law and of the peace of this realm; and having reſolved within our ſelves to prevent the effuſion of blood as long as it was poſſible, by uſing all peaceable means to reduce the ſaid malefactors to their obedience, have of late iſſued out a proclamation, ſetting forth the ſaid diſorders, requiring all the ſaid parties to diſperſe and repair to their ſeveral habitations and callings, aſſuring every of them of his majeſty's pardon and protection. And whereas, We ſee the ſaid offenders, inſtead of complying with our ſaid proclamation, ſtill do perſiſt in their wickedneſs, by continuing in actual rebellion, breaking of priſons, and diſcharging of priſoners ſecured by due courſe of law, for robberies, fellonies, and other hainous crimes; by ſeizing upon his majeſty's arms and ammunition, impriſoning ſeveral of his majeſty's army, diſarming and diſmounting them: killing and murdering ſeveral of his majeſty's ſubjects, pillaging and plundering the country, and daily committing ſeveral other acts of hoſtility; and finding no other way to ſuppreſs the ſaid rebellion, We the lord deputy have cauſed a party of his majeſty's army, under the command of Lieutenant General Rich. Hamilton, to march into the province of Ulſter, to reduce the rebels there by force of arms, the conſequence whereof cannot but be very fatal to that country, and the inhabitants thereof, and will inevitably occaſion the total ruine and deſtruction of that

that part of his majeſty's kingdom. The conſideration whereof hath given us great diſquiet and trouble of mind; that a country well planted and inhabited, ſhould now, by the inſolency and traitorous wickedneſs of its own inhabitants, be brought to ruine and deſolation, which we are ſtill willing to prevent, if any ſpark of grace be yet remaining in the hearts of thoſe conſpirators; hereby declaring, notwithſtanding the many affronts by them put upon his majeſty's government, notwithſtanding the ſeveral acts of hoſtility by them committed, that if they will now ſubmit and become dutiful ſubjects, his majeſty's mercy ſhall be extended to them, excepting the perſons hereafter excepted; and in order thereunto, We the lord deputy and council do ſtrictly charge and command all ſuch perſons in arms in Ulſter or the town of Sligo, forthwith to lay down their arms, and that the principal perſon among them now in the north, do forthwith repair to Lieutenant General Richard Hamilton, and deliver up to him their arms and ſerviceable horſes, and to give him hoſtages as an aſſurance of their future loyalty and obedience to his majeſty, and that all their adherents do deliver up their arms and ſerviceable horſes to ſuch perſon or perſons, as he the ſaid Lieutenant General Hamilton ſhall appoint to receive them. And We do alſo farther charge and command all the principal perſons of other commotions and inſurrections in Sligo, to repair forthwith either to Us the lord deputy, or to Colonel Mac Donald, at the Boyle, and deliver up their arms and ſerviceable horſes, and to give hoſtages and ſecurity for their future peaceable deportment; and their adherents to lay down their arms to be delivered up together with their ſerviceable horſes to the ſaid Colonel Mac Donald. We the lord deputy hereby giving ſafe conduct to ſuch of them as will ſubmit according to this our proclamation. And we do hereby farther declare, that ſuch of the ſaid perſons as ſhall give obedience to theſe our commands, except the perſons hereafter excepted, ſhall have his majeſty's protection and pardon for all paſt offences relating to the ſaid commotions and inſurrections; but in caſe they ſhall be ſo unhappy, as to perſiſt in their wicked deſigns and treaſonable practiſes, We the lord deputy do hereby command all his majeſty's forces to fall upon them wherever they meet them, and to treat them as rebels and traitors to his majeſty; yet to the end the innocent may not ſuffer for the crimes of the nocent, and that the committal of inhumane acts may be prevented, We do hereby ſtrictly charge and command his majeſty's army now upon their march to the North, and all other his majeſty's forces, that

they, or either of them, do not preſume to uſe any violence to women, children, aged or decrepid men, labourers, plow-men, tillers of the ground, or to any other, who in theſe commotions demean themſelves inoffenſively, without joining with the rebels, or aiding or aſſiſting them in their traitorous actions and behaviour. But in regard to Hugh, Earl of Mount Alexander, John Lord Viſcount Mazareen, Robert Lord Baron of Kingſtone, Clotworthy Scheffington, Eſq. ſon to the Lord Viſcount Mazareen, Sir Robert Calvil, Sir Arthur Rawdon, Sir John Magil, John Hawkins, Robert Sanderſon, and Francis Hamilton, ſon to Sir Charles Hamilton, who have been the principal actors in the ſaid rebellion, and the perſons who adviſed and fomented the ſame, and inveigled others to be involved therein; we think fit to except them out of this proclamation, as perſons not deſerving his majeſty's favor.

Given at the council chamber of Dublin, March 7th, 1688.

A. Fytton.	C.	Will. Talbot
Granard		Tho. Newcomen
Limerick		Rich. Hamilton
Bellew		Fran. Plowden

No. XLIII.

MR. OSBORN'S *Letter to My* LORD MASSEREEN. (*Page* 183.)

Loghbrickland, March 9th, 1688.

MY LORD,

ON the 6th inſtant I was introduced by my Lord Granard into my lord deputy's preſence in the caſtle of Dublin. I have his paſs to come and go through and back from Ulſter; and though I have not his excellency's direct commiſſion, yet I will aſſure you I am at leaſt permitted by the lord deputy to acquaint the chief and others of thoſe of the Ulſter aſſociation, with his diſcourſe to me, which was to the effect following: to wit,

Firſt, That his excellency doth not delight in the blood and devaſtation of the ſaid province; but, however, highly reſents their taking and continuing in arms; the affronts done by them to his majeſty's government thereby, and by ſome indignities done to the late proclamation of clemency, iſſued and dated—

Secondly,

Secondly. Notwithſtanding whereof, is willing to receive the ſame province into protection, provided they immediately deliver up his army, for his majeſty's uſe, their arms and ſerviceable horſe; and provided they deliver up to his excellency theſe three perſons, viz. ——— ——— ——— if they remain in the kingdom, and may be had.

Thirdly. And for farther manifeſtation of his deſign to prevent blood, is willing to grant ſafe conduct even to the ſaid three perſons, or any other of their party, to and from his excellency, and to and from Lieutenant General Hamilton, commander of part of his army hereafter mentioned, if they intend any peaceable and reaſonable treaty: but withall, not upon the ſaid account, or any other, to ſtop the march of the ſaid part of his army, no, not for one hour; and if it ſhall appear in ſuch treaty, that they took up arms merely for ſelf-preſervation, then he will pardon even the ſaid three perſons alſo; but is hopeleſs, that any ſuch thing can be made appear, ſeeing that many of them have already accepted, and received commiſſions from the Prince of Orange, and diſplay his colours in the field, as his excellency is credibly informed.

Fourthly. If theſe terms be not immediately agreed to, he will, with part of his army, fight them, which part he intends ſhall be at Newry on Monday, the 11th of this inſtant, which will from thence march to Belfaſt, and from thence to Colrain and Londonderry, as his excellency intends; and that the country Iriſh, not of the army, men, women, and boys, now all armed with half-pikes and bayonets, in the counties of Cavan, Monaghan, Tyrone, Londonderry, &c. will, upon the approach of the ſaid part of the army, and of the Britiſh in the ſaid counties; which force and violence of the rabble, his excellency ſaith he cannot reſtrain; and fears that it may be greater than in 1641. Theſe are the heads of what I can offer to you from his excellency's own mouth; but I intend to be at Hillſborough to night, and there to ſtay for this night, where, if you think fit, I ſhall freely diſcourſe with you all the particulars; whereof I hope, you will give immediate notice to all chiefly concerned in your country and neighbourhood, for gaining of time. I have ſent this expreſs, that your lordſhip may give advertiſements by expreſs, to all ſuch as your lordſhip thinks convenient. I ſhall add no farther till I have the honour to ſee your lordſhip.

Your lordſhip's obedient ſervant,

ALEX. OSBORNE.

No.

No. XLIV.

The Names of the Lords and Commons of the Parliament of Ireland, ſitting at Dublin the 7th of May, 1689, and continued ſitting till the 18th of July, and then prorogued until the 12th of November. (*Page* 184.)

THE LORDS.

Sir Alexander Fitter, Lord Baron of Goſworth, Lord Chancellor
Earl of Weſtmeath
Earl of Barrymore
Earl of Clancarty
Earl of Tyrone
Earl of Longford
Earl of Granard
Earl of Limerick
Lord Viſcount Glanmalira
Viſcount Killmallock
Viſcount Iveagh
Viſcount Mountgarret
Viſcount Dillon
Viſcount Roſſe
Viſcount Gallway
Sir Valentine Brown, Viſcount Kenmare, lately made
Juſtin M'Carthy, Viſcount Mont Caſhel, lately made
Lord Biſhop of Meath
Biſhop of Oſſory
Biſhop of Cork
Biſhop of Limericke
Lord Baron of Athenree
Baron of Kinſale
Baron of Enniſkillen
Baron of Strabane
Baron of Caſtleconnell
Baron of Brittas
Baron of Dunbayne
Baron of Cahirr
Baron of Howth
Baron of Dunſany
Baron of Upper Oſſory
Lord Baron of Slane
Chief Juſtice Nugent, Baron of Riverſtown, lately made
John Bourk, Baron of Bophin, lately made
Baron of Trinleſtown.

THE COMMONS.

County of Catherlough.
Dudly Bagnal, Eſq.
Henry Luttrell, Eſq.

Borough of Callan.
Walter Butler, Eſq.
Tady Meagher, Eſq.

Borough

Borough of Catherlogh.
Marcus Bagot, Eſq.
John Warren, Eſq.
Borough of Old Lughlin.
Darby Long, Eſq.
Daniel Doran
County of Gallway.
Sir Ulick Bourk, Bart.
Sir Walter Blake, Bart.
Borough of Athenry.
James Talbot, of Mount Talbot, Eſq.
Charles Daly, of Dunſandal, Eſq.
Borough of Tuam.
James Lally, of Tullenedally
William Bourk, of Carrewfraila
County of Kilkenny.
James Grace, of Courſtowne, Eſq.
Robert Walſh, of Clonencaſſy, Eſq.
Borough of Thomastown.
Robert Grace the elder, Eſq.
Robert Grace the younger, Eſq.
Borough of Gowran.
Richard Butler, Eſq.
Walter Kelly, Doctor of Phyſic
Borough of Iniſtioge.
Edward Fitzgerald, Eſq.
James Fitzgerald, Eſq.
Borough of Knocktopher.
Harvey Morres, Eſq.
Henry Meagh, Eſq.
City of Kilkenny.
John Rooth, Mayor of that City
James Bryan, Alderman
County of Cork.
Juſtin M'Carthy, Eſq.
Sir Richard Nagle, Knt.

Borough of Youghall.
Thomas Uniack, Alderman
Edward Gough, Alderman
Borough of Kinſale.
Andrew Murrogh, Eſq.
Miles de Courſey, Eſq.
Borough of Baltimore.
Daniel O'Donovan, Eſq.
Jeremy Donavan, Eſq.
Borough of Bandenbridge.
Charles M'Carthy, of Ballen, Eſq.
Daniel M'Carthy Reagh, Eſq.
Borough of Cloghnokelty.
Lieutenant Colloen Owen M'Carthy, Eſq.
Daniel M'Fin M'Carthy, Eſq.
Borough of Middletown.
Dermond Long, Eſq.
John Long, Eſq.
Borough of Mayallow.
John Barret, of Caſtlemore, Eſq.
David Nagle, of Carragowne, Eſq.
Manor and Borough of Roth Cormuck.
James Barry, Eſq.
Edward Powell, Eſq.
Manor of Donerail.
Daniel O'Donovane, Eſq.
John Baggot, jun. of Bagotſtown, Eſq.
Borough of Charlevile.
John Bagot, ſen. of Bagotſtown, Eſq.
John Power, of Killballane
County of Tipperary.
Nicholas Purcel, of Longmore, Eſq.
James Butler, of Granigebegg
City of Caſhell.
Denis Kearny, Alderman

James

James Hacket, Alderman

Borough of Clonmell.

Nicholas White, Alderman
John Bray, Alderman

Borough of Fethard.

Sir John Everard, Bart.
James Tabin, of Fethard, Eſq.

City of Waterford.

John Porter, Eſq.
Nicholas Fitzgerald, Eſq,

County af Kerry.

Nichols Brown, Eſq.
Sir Thomas Croſsby, Knt.

Borough of Trayley.

Maurice Huſſey, of Kerry, Eſq.
John Brown, of Ardagh, Eſq.

Borough of Dingleſdacouche.

Edward Rice Fitz James, of Ballinelig, in the County of Limerick
John Huſſey, of Culmullin, Eſq.

Borough of Ardfert.

Callonel Roger M'Ellyot
Cornelius M'Gillicuddy

City of Limerick.

Nicholas Arthur, Alderman
Thomas Harrold, Alderman

Borough of Roſcommon.

John Dillon, Eſq.
John Kelly, Eſq.

Borough of Boyle.

Captain John King
Terrence M'Dermot, Alderman

County of Meath.

Sir William Talbott, Bart.
Sir Patrick Barnwall, Bart.

Borough of Ratooth.

John Huſſey, Eſq.
James Fitzgerald, Eſq.

Borough of Trym.

Captain Nicholas Cuſacke
Walter Nangle, Eſq.

Borough of Navan.

Chriſtopher Cuſack, of Corballis, Eſq.
Chriſtopher Cuſack, of Ratholeran, Eſq.

Borough of Kells.

Patrick Everard, Eſq.
John Delamare, Eſq.

Borough of Athboy.

John Trynder, Eſq.
Robert Longfield, Eſq.

City of Cork.

Sir James Cotter, Knt.
John Gallaway, Eſq.

County of Limerick.

Sir John Fitzgerald, Bart.
Gerrald Fitzgerald, Knt. of the Glyn

Borough of Kilmallock.

Sir William Harley, Bart.
John Lacy, Eſq.

Borough of Aſkeaton.

John Bourk, of Cahirmayhill, Eſq.
Edward Rice, Eſq,

County of Weſtmeath.

The Hon. Colonel William Nugent
The Hon. Col. Henry Dillon.

Borough and Manor of Mullengarr.

Gerrald Dillon, Eſq. Prime Serjeant
Edmond Nugent, of Carlanſtowne

Borough of Athlone.

Edmond Malone, of Ballynabourne, Eſq.

Edmond

Edmond Malone, of Juriſperit, Eſq.

Borough of Kebeggan.

Brian Geoghegan, of Donore, Eſq.

Charles Geoghegan, of Lyonane, Eſq.

Queen's County.

Sir Patrick Trant, Knt.

Edmond Morres, Eſq.

Borough of Marrybrough.

Pierce Bryan, Eſq.

Thady Fitzpatrick, Eſq.

Borough of Ballynekill.

Sir Gregory Byrne, Bart.

Oliver Grace, Eſq.

Borough of Galloway.

Oliver Martin, Eſq.

John Kirwan, Eſq.

County of Cavan.

Phillip Reyley, of Aghnecreſey, Eſq.

John Reyley, of Garriroback, Eſq.

Borough of Cavan.

Phillip Oge O'Reyly, Eſq.

Hugh Reyley, of Lara, Eſq.

Borough of Bellturbet.

Sir Edward Tyrrel, Bart.

Phillip Tuite, of Newcaſtle, Eſq.

County of Waterford.

John Power, Eſq.

Matthew Hore, Eſq.

Borough of Dungarvan.

John Hore, Eſq.

Martin Hore, Eſq.

County of Sligoe.

Henry Crofton, Eſq.

Oliver O'Gara, Eſq.

Borough of Sligoe.

Terrence Mac Donogh, Eſq.

James French, Eſq.

County of Tyrone.

Colonel Gourdon O'Neile

Lewis Doe, of Dungannon, Eſq.

Borough of Dungannon.

Arthur O'Neile, Eſq.

Peter Donnelly, of Dungannon

Borough of Strabane.

Chriſtopher Nugent, Eſq.

Daniel Donelly, Gent.

County of Clare.

Daniel O'Bryan, Eſq.

John Mac Namarra, of Crattlagh, Eſq.

Borough of Ennis.

Florence Mac Namarra, of Dronodd, Eſq.

Theobald Butler, of Straghnagohoone, Eſq.

County of Leytrim.

Edmond Reynells, Eſq.

Triell Farrell, Eſq.

Borough of Jamestown.

Alexander Macdonnel, Eſq.

William Shanley, Eſq.

County of Ardmagh.

Francis Strafford, Eſq.

Conſtantine O'Neale, Eſq.

County of Antrim.

Cormucke O'Neale

Randall Mac Donnell

Borough of Bellfaſt.

Marcus Talbott

Daniel O'Neale

County of Wexford.

Walker Butler, of Monſin, Eſq.

Patrick Colclough, of Macbury

Borough of Wexford.
William Talbot, Eſq.
Francis Rooth, merchant
Borough of New Roſs.
Luke Dormer, Eſq.
Richard Butler, Eſq.
Borough of Newbury.
Abraham Strange, of Toberduffe, Eſq.
Richard Doyle, of Kilorky
Borough of Eniſcorthy.
James Devereux, of Cargmenan, Eſq.
Arthur Waddinton Portriff
Borough of Taghmon.
George Hore, of Polehore, Eſq.
Walter Hore, of Harperſtowne
Borough of Bannow.
Francis Plowden, Eſq.*
Dr. Alexius Stafford
Borough of Cloghmine.
Edward Sherlock, of the city of Dublin, Eſq.
Nicholas White, of Roſſe, merchant
Borough of Fetherd.
The Right Hon. Col. James Porter
Captain Nicholas Stafford
County of Longford.
Roger Farrell, Eſq.
Robert Farrell, Eſq.
Borough of Laniſborough.
Oliver Fitz Gerrald
Roger Farrell
County of Mayo.
Gerrald Moor, Eſq.
Walter Bourke, Eſq.
Borough of Caſtlebarr.
John Bremingham Portriffe

* It is to be remarked, that the only names, which appear not to be Iriſh in this liſt of the members are the two members for Bannow, and Mr. Luke Dormer, member for New Roſs. All theſe three gentlemen were of Engliſh Catholic families: indeed there were ſuppoſed to have been only ſix Proteſtant members returned to that parliament. Moſt of the members were men of landed property, and probably were the faireſt repreſentation of the people of Ireland, that ever were ſent to any parliament of that country. Mr. F. Plowden was a younger brother of the Plowdens of Plowden in Shropſhire, and great great uncle to the author. He followed the fortunes of James, and acted as his treaſurer at St. Germaine's, where after ſome years he married Mary, the daughter of the Hon. John Stafford Howard, who was the ſecond ſon of William Viſcount Stafford (beheaded in 1680) by Mary Stafford, the heireſs of the noble family of that name, as well as to the ancient barony of Stafford, which was reſtored by Edward VI. to Henry Lord Stafford, the ſon of Edward Stafford, Duke of Buckingham, attainted and beheaded in 1520. Francis Plowden had iſſue by Mary his wife three children: Francis, who died unmarried at Paris in 1788; Louiſa, who died unmarried at Paris in 1784; and Mary, who married Sir George Jerningham, of Coſſey, in the county of Norfolk, Bart. whoſe eldeſt ſon the preſent Sir William Jerningham, if he ſurvive Lady Stafford, a maiden lady of very advanced age now living at Paris, the laſt ſurviving daughter of William late Earl of Stafford, who died in 1734, will become ſole heir to the barony of Stafford. The late Lady Jerningham was a ſingular inſtance of having lived to ſee ſix generations of her own family.

Thomas

Thomas Bourke, Eſq.

County of Downe.

Murtogh Mac Gennis, of Green Caſtle, Eſq.

Ever Mac Gennis, of Caſtle William, Eſq.

Borough of Newry.

Rowland White, Eſq.

Rowland Savage, Eſq.

Borough of Killileagh.

Barnard Mac Gennis, of Ballygorian-beg, Eſq.

Toole O'Niel, of Drummekelly, Gent.

County of Dublin.

Simon Lutterell, of Lutterellſtowne, Eſq.

Patrick Sarsfield, of Lucan, Eſq.

Borough of Swords.

Francis Barnwall, of Woodſcarke, in the county of Meath, Eſq.

Robert Ruſſell, of Drynham, Eſq.

Borough of Newcaſtle.

Thomas Arthur, of Colganſtowne

John Talbot, of Bellgard

City of Dublin.

Sir Michael Creagh, Knt. Lord Mayor

Terence Dermot, ſen. Alderman

College of Dublin.

Sir John Meade, Knt.

Joſeph Coghlan, Eſq.

County of Wicklow.

Richard Butler, Eſq.

William Talbot, Eſq.

Borough of Caris-Fort.

Hugh Byrone, Eſq.

Pierce Archbold, Eſq. upon default of a proceſs of P. A. Palewheele, Eſq.

Borough of Wicklow.

Francis Tool, Eſq.

Thomas Byrne, Eſq.

Borough of Bleſſington.

James Euſtace, Eſq.

Maurice Euſtace, Gent.

County of Kildare.

John Wogan, Eſq.

George Aylmer, Eſq.

Borough of Neas.

Walter Lord Dungan

Charles White, Eſq.

Borough of Athy.

William Fitz Gerrald, Eſq.

William Archbold, Eſq.

Borough of Harriſtowne.

James Nihell, Eſq.

Edmond Fitz Gerrald, Eſq.

Borough of Kildare.

Francis Leigh, Eſq.

Robert Porter, Eſq.

King's County.

Hewer Oxburgh, Eſq.

Owen Carrol, Eſq.

Borough of Phillipſtowne.

John Connor, Eſq.

Hewer Oxburgh, Eſq.

Borough of Bannagher.

Terence Coghlan, Eſq.

Terence Coghlan, Gent.

Borough of Drogheda.

Henry Dowdal, Eſq. Recorder

Chriſtopher Peppard Fitz George, Alderman

County of Lowth.
Thomas Bellew, Eſq.
William Talbot, Eſq.
Borough of Atherdee.
Hugh Gernon, Eſq.
John Babe, Eſq.
Borough of Dundalk.
Robert Dermot, Eſq.
John Dowdgall, Eſq.
Borough of Carlingford.
Chriſtopher Peppard Fitz Ignatius, Eſq.
Bryan Dermot, Eſq.
County of Roſcommon.
Charles Kelly, Eſq.
John Bourke, Eſq.
Borough of Fowre, in Commitat. Weſt Meath.
John Nugent, of Donore, Eſq.
Chriſtopher Nugent, of Dardyſtowne
Borough of St. Johnſton, in Commit. Longford.
Sir William Ellis, Knt.
Lieutenant Colonel James Nugent
Borough of Portarlington, in Queen's County.
Sir Henry Bond, Bart.
Sir Thomas Hacket, Knt.
Monaghan.
Bryan Mac Mahon, Eſq.
Hugh Mac Mahon, Eſq.
Gowran.
Colonel Robert Fielding, inſtead of Richard Butler, Eſq.

The commons choſe Sir Richard Nagle their ſpeaker, and Mr. John Kernly was clerk of that houſe.

King James's Speech to both Houſes of Parliament in Ireland, publiſhed by his Majeſty's Order, May 10th, 1689.

My Lords and Gentlemen,

THE exemplary loyalty, which this nation expreſt to me, at a time when others of my ſubjects ſo undutifully behaved themſelves to me, or ſo baſely betrayed me; and your ſeconding my deputy as you did, in his bold and reſolute aſſerting my right, and preſerving this kingdom for me, and putting it in a poſture of defence, made me reſolve to come to you, and to venture my life with you, in the defence of your liberty, and my right; and to my great ſatisfaction I have not only found you ready and willing to ſerve me, but that your courage has equalled your zeal. I have always been for liberty of conſcience, and againſt invading any man's property;

perty; having ſtill in my mind the ſaying of holy writ, Do as you would be done by; for that is the law and the prophets. It was this liberty of conſcience I gave, which my enemies both abroad and at home dreaded, eſpecially when they ſaw, that I was reſolved to have it eſtabliſhed by law in all my dominions, and made them ſet themſelves up againſt me, though for different reaſons; ſeeing that if I had once ſettled it, my people in the opinion of the one would have been too happy, and in the opinion of the other too great. This argument was made uſe of to perſuade their own people to join with them, and too many of my own ſubjects to uſe me as they have done; but nothing ſhall ever perſuade me to change my mind as to that: and wherefoever I am maſter, I deſign, God willing, to eſtabliſh it by law, and to have no other teſt or diſtinction, but that of loyalty. I expect your concurrence in ſo Chriſtian a work, and in making effectual laws againſt profanings and debauchery. I ſhall alſo moſt readily conſent to the making ſuch good and wholeſome laws, as may be for the general good of the nation, the improvement of trade, and the relieving ſuch as have been injured by the late acts of ſettlement, as far forth as may be conſiſtent with reaſon, juſtice, and the public good of my people. And as I ſhall do my part to make you happy and rich, ſo I make no doubt of your aſſiſtance, by enabling me to oppoſe the unjuſt deſigns of my enemies, and to make this nation flouriſh. And to encourage you the more to it, you know with how great generoſity and kindneſs the moſt Chriſtian king gave a ſecure retreat to the queen, my ſon, and ſelf, when we were forced out of England, and came to ſeek protection and ſafety in his dominions; how he embraced my intereſt, and gave ſuch ſupplies of all ſorts, as enabled me to come to you, which without his obliging aſſiſtance I could not have done: this he did at a time, when he had ſo many and ſo conſiderable enemies to deal with: and you ſee ſtill continues to do. I ſhall conclude as I began, and aſſure you, I am as ſenſible as you can deſire me, of the ſignal loyalty you have expreſt to me, and ſhall make it my chief ſtudy, as it always has been, to make you and all my ſubjects happy.

The

The Parliament of Ireland's Addreſs to the King.

MOST GRACIOUS SOVEREIGN,

WE your majeſty's moſt dutiful and loyal ſubjects, the lords ſpiritual and temporal, and commons in parliament aſſembled, being highly ſenſible of the great honor and happineſs we enjoy by your royal preſence amongſt us, do moſt humbly and heartily thank your ſacred majeſty for vouchſafing to come into this kingdom of Ireland; and for your grace and goodneſs to your ſubjects in calling this parliament, and for your majeſty's tender and princely affection expreſſed to all your loving ſubjects, in your majeſty's gracious ſpeech at the opening of this ſeſſion, which we moſt humbly beſeech your majeſty may be forthwith printed and publiſhed. And we further crave leave humbly to repreſent to your majeſty, our abhorrence and deteſtation of the late treaſons and defections of many of your majeſty's ſubjects in this and your other kingdom; and the unnatural uſurpation of the Prince of Orange, againſt the laws of God and man; profeſſing with our voice, tongue, and heart, that we will ever be ready to aſſert and vindicate your majeſty's rights to your imperial crown with our lives and fortunes againſt the ſaid uſurper and his adherents, and all other rebels and traitors whatſoever.

Ordered the 10th of May, 1689, by the Lords Spiritual and Temporal, and Commons in parliament aſſembled, that this addreſs be printed.

B. POLEWHELE, Dep. Cl. Parl.

The ſeveral Bills that paſſed both Houſes of Parliament in the Seſſion begun at Dublin, the 7th of May, 1689, *to which the late King aſſented, are as follows.*

1. An act of recognition.
2. An act for annulling and making void all patents of officers for life or during good behaviour.
3. An act declaring that the parliament of England cannot bind Ireland, and againſt writs of error, and appeals to be brought for removing judgments, decrees, and ſentences in Ireland into England.
4. An act for repealing the acts of ſettlement and explanation, reſolution

of

of the doubts and all grants, patents and certificates, purſuant to them, or any of them.

5. An act for puniſhing of perſons who bring in counterfeit coin of foreign realms, being current in this realm, or counterfeit the ſame within this realm, or waſh, clip, file or lighten the ſame.

6. An act for taking off all incapacities of the natives of this kingdom.

7. An act for taking away the benefits of the clergy in certain caſes of felony in this kingdom for two years.

8. An act to continue two acts made to prevent delays in execution: and to prevent arreſts of judgment and ſuperſeding executions.

9. An act for repealing a ſtatute, intituled, An Act for proviſions of miniſters in cities and corporate towns. And for making the church of St. Andrew's, in the ſuburbs of the city of Dublin, preſentative for ever.

10. An Act of ſupply for his majeſty for the ſupport of his army.

11. An act for repealing the act for keeping and celebrating the 23d of October, as an aniverſary thankſgiving in this kingdom.

12. An act for liberty of conſcience, and repealing ſuch acts or clauſes in any act of parliament, which are inconſiſtent with the ſame.

13. An act concerning tythes, and other eccleſiaſtical duties.

14. An act for regulating tythes, and other eccleſiaſtical duties in the province of Ulſter.

15. An act concerning appropriate tythes, and other duties payable to eccleſiaſtical dignitaries.

16. An act for repealing the act for real union and diviſion of pariſhes, and concerning churches, free ſchools and exchanges.

17. An act for relief and releaſe of poor diſtreſſed priſoners for debts.

18. An act for repealing an act, intituled, An Act for confirmation of letters patents, granted to his Grace James Duke of Ormond.

19. An act for encouragement of ſtrangers and others to inhabit and plant in the kingdom of Ireland.

20. An act for prevention of frauds and perjuries.

21. An act prohibiting the importation of Engliſh, Scotch, or Welſh coals into this kingdom.

22. An act for ratifying and confirming deeds and ſettlements, and laſt wills and teſtaments of perſons out of poſſeſſion.

23. An act for the ſpeedy recovering ſervants wages.

24. An

24. An act for veſting in his majeſty the goods of abſentees.

25. An act concerning martial law.

26. An act for puniſhment of waſte committed on lands, reſtorable to old proprietors.

27. An act to enable his majeſty to regulate the duties of foreign commodities.

28. An act for the better ſettling inteſtates eſtates.

29. An act for advance and improvement of trade, and for the encouragement and increaſe of ſhipping and navigation.

30. An act for the attainder of divers rebels, and for the preſerving the intereſt of loyal ſubjects.

31. An act for granting and confirming unto the Duke of Tyrconnel, lands and tenements to the value of 15,000*l.* per annum.

32. An act for ſecuring the water-courſe for the caſtle and city of Dublin.

33. An act for relieving Dame Anna Yolanda, Sarracourt, alias Duval and her daughter.

34. An act for ſecuring iron-works and land thereunto belonging, on Sir Henry Waddington, Knight, at certain rates.

35. An act for the reverſal of the attainder of William Ryan, of Bally Ryan, in the county of Tipperary, Eſq. and for reſtoring him to his blood, corrupted by the ſaid attainder.

The Preamble to the Act of Repeal of the Acts of Settlements and Explanation, &c. as it paſſed the Houſe of Commons.

WHEREAS the ambition and avarice of the lords juſtices ruling over this your kingdom, in 1641, did engage them to gather a malignant party and cabal of the then privy council, contrary to their ſworn faith and natural allegiance, in a ſecret intelligence and traitorous combination, with the Puritan ſectaries in the realm of Great Britain, againſt their lawful and undoubted ſovereign, his peace, crown and dignity, the malice of which made it ſoon manifeſt in the nature and tendency of their proceedings, their untimely prorogations of a loyal unanimous parliament, and thereby making void, and diſappointing the effects of many ſeaſonable votes, bills and addreſſes,

dreſſes, which paſſed into law, had certainly ſecured the peace and tranquillity of this kingdom, by binding to his majeſtie, the hearts of his Iriſh ſubjects; as well by the tyes of affection and gratitude, as duty and allegiance there. The ſaid lords juſtices traiterouſly diſbanding his majeſtie's well aſſured Catholic forces, when his perſon and monarchy were expoſed to the ſaid rebel ſectaries, then marching in hoſtile armes to deſpoil him of his power, dominion and life; their immediate calling into the place and ſtead of thoſe, his majeſty's faithful diſbanded forces, a formidable body of diſciplined troops, allyed and confederated in cauſe, nation, and principles with thoſe rebel ſectaries; their unwarrantable entertainment of thoſe troops in this kingdom, to the draining of his majeſty's treaſury, and terror of his Catholic ſubjects, then openly menaced by them the aforeſaid lords juſtices with a maſſacre and total extirpation; their bloody proſecution of that menace, in the ſlaughter of many innocent perſons, thereby affrighting and compelling others in deſpair of protection from their government, to unite and take arms for their neceſſary defence, and preſervation of their lives; their unpardonable prevarication from his majeſtie's orders to them, in retrenching the time by him graciouſly given to his ſubjects ſo compelled into arms, of returning to their duty; and ſtinting the general pardon to ſuch only, as had no freehold eſtates to make forfeitures of; their pernicious arts in waylaying, exchanging, and wickedly depriving all intercourſe by letters, expreſſes, and other communication and privity, betwixt your ſaid royal father and his much abuſed people; their inſolent and barbarous application of racks and other engines of torture to Sir John Read, his then majeſtie's ſworn menial ſervant, and that upon their own conſcious ſuſpicions of his being intruſted with the too juſt complaints of the perſecuted Catholicks aforeſaid. Their diabolical malice and craft, in eſſaying by promiſes and threats, to draw from him, the ſaid Read, in his torments, a falſe and impious accuſation of his maſter and ſovereign, as being the author and promoter of the then commotion, ſo manifeſtly procured, and by themſelves induſtriouſly ſpread.

And whereas a late eminent miniſter of ſtate, for parallel cauſes and ends, purſuing the ſteps of the aforeſaid lords juſtices, hath by his intereſt and power, cheriſhed and ſupported a fanatical republican party, which heretofore oppoſed, put to flight, and chaſed out of this your kingdom of Ireland, the royal authority lodged in his perſon, and to transfer the calamitous con-

 ſequences

ſequences of his fatal conduct from himſelf upon your truſty Roman Catholick ſubjects, to the breach of publick faith ſolemnly given and proclaimed in the name of our late ſovereign, interpoſed betwixt them and his late majeſtie's general indulgence and pardon, and wrought their excluſion from that indemnity in their eſtates, which by the publick faith is ſpecially provided for, and ſince hath been extended to the moſt bloody and execrable traitors, few only excepted by name in all your realms and dominions. And further, to preclude from all relief, and even acceſs of admittance to juſtice, your ſaid Iriſh Catholick people, and to ſecure to himſelf and his poſterity, his vaſt ſhare of their ſpoils, he the ſaid eminent miniſter, did, againſt your ſacred brother's royal promiſe and ſanction aforeſaid, adviſe and perſuade his late majeſty to give, and accordingly obtained his royal aſſent to two ſeveral acts. The one intituled, *An Act for the better Execution of his Majeſtie's gracious Declaration for the Settlement of this Kingdom of Ireland, and Satisfaction of the ſeveral Intereſts of Adventurers, Soldiers, and other his Majeſtie's Subjects there.* Which act was ſo paſt at a parliament held in this kingdom, in the fourteenth and fifteenth years of his reign: and the other, an act intituled, "An Act of Explanation, &c." Which act was paſſed in a ſeſſions of the ſaid parliament held in this kingdom, in the ſeventeenth and eighteenth years of his reign, moſt of the members thereof being ſuch, as forcibly poſſeſſed themſelves of the eſtates of your Catholick ſubjects in this kingdom, and were convened together for the ſole ſpecial purpoſe of creating and granting to themſelves and their heirs, the eſtates and inheritance of this your kingdom of Ireland, upon a ſcandalous, falſe hypotheſis, imputing the traiterous deſign of ſome deſperate, indigent perſons, to ſeize your majeſtie's caſtle of Dublin, on the 23d of October, 1641, to an univerſal conſpiracy of your Catholic ſubjects, and applying the eſtates and perſons thereby preſumed to have forfeited to the uſe and benefit of that regicide army, which brought that kingdom from its due ſubjection and obedience to his majeſtie, under the peak and tyranny of a bloody uſurper! An act unnatural, or rather viperouſly deſtroying his late majeſtie's gracious declaration, from whence it had birth, and its clauſes, reſtrictions and uſes, inverting the very fundamental laws, as well of your majeſtie's, as all other chriſtian governments. An act limiting and confining the adminiſtration of juſtice to a certain term or period of time, and confirming the patrimony of innocents unheard, to the moſt exquiſite traytors, that now ſtand convict on record;

record; the aſſigns and truſtees, even of the then deceaſed Oliver Cromwell himſelf, for whoſe arrears, as General of the regicide army, ſpecial proviſion is made at the ſuit of his penſioners. Now in regard the acts above mentioned do, in a florid and ſpecious preamble, contrary to the known truth in fact, comprehend all your majeſtie's Roman Catholick ſubjects of Ireland, in the guilt of thoſe few indigent perſons aforeſaid, and on that ſuppoſition alone, by the clauſe immediately ſubſequent to that preamble, veſt all their eſtates in his late majeſtie, as a royal truſtee, to the principal uſe of thoſe, who depoſed and murthered your royal father, and their lawful ſovereign. And further-more, to the ends that the articles and conditions granted in the year 1648, by authority from your majeſtie's royal brother, then lodged in the Marqueſs of Ormond, may be duly fulfilled and made good to your majeſtie's preſent Iriſh Catholic ſubjects, in all their parts and intentions, and that the ſeveral properties and eſtates in this kingdom may be ſettled in their ancient foundations, as they were on the 21ſt of October, 1641: And that all perſons may acquieſs and rejoyce under an impartial diſtribution of juſtice, and ſit peaceably down under his own vine or patrimony, to the aboliſhing all diſtinction of parties, countries and religions, and ſettling a perpetual union and concord of duty, affection, and loyalty to your majeſtie's perſon and government: in the hearts of your ſubjects be it enacted, &c.

No. XLV.

DOCTOR GORGE, *Secretary to General Schomberg in Ireland, his Letter to* COLLONEL JAMES HAMILTON, *in London, to be communicated to the Lady Viſcounteſs Ranelagh, the Lord Maſſareen, and others.*

HONORED SIR,

THE fire, ſaith the royal prophet, kindled in my breaſt, and I ſpoke with my tongue: perhaps ſome ſparks of that fire ſo enflamed my zeal to the public good of this country, that I have not onely ſpoke with my tonge, but wrote with my pen thoſe truths which I know have redounded more to my particular prejudice, than to the public ſervice. He

that follows truth too near, ſaith a wiſe man; may loſe his teeth; and a wiſer than he tells us, that he who profeſſeth ſome truths, may thereby loſe his life; yet in the ſame period tells us, that he ſhall be no loſer thereby; the ſatisfaction and contentment which conſtantly attends integrity, being much ſweeter than the advantage of temporal ſecurity. Liberavi animam meam, and if this make me vile, I am content to be more vile: I know God hath put enmity between the ſeed of the woman, and the ſeed of the ſerpent; and I as well know, that it is as vain for man's prudence to attempt to unite what God hath divided, as it is ſinful to divide what he hath united. I ſpeak not a little to my ſatisfaction, what you know to be true, that our adverſaries who are more God's than ours, want neither power nor malice to cruſh us; ſuch is the goodneſs of God, that they dare not own their hatred; but are content not only to make me fall from my preſent ſtation, ſoft and eaſie, but are willing to make my remove an advantage to me, little thinking, that taking me off from being ſecretary to the general, and making me ſecretary of ſtate, neceſſitates one of my principles to be the more prejudicial to theirs: you know that notwithſtanding all their public and private oppoſition, they are come up to many of our principles, and we ſtill continue our diſtance to theirs, which for the better memory I ſhall enumerate in the following method, the better to obtain your belief in other particulars, which I ſhall here ſubjoin.

You know that I ever aſſerted, that thoſe principles and practices which God bleſſed with ſucceſs in the former Iriſh war, were moſt like to have the ſame ſucceſs in this, which I told you were as followeth:

1. Though the Iriſh Papiſts had then, as appears by the excellent preface to the act of ſettlement, made that rebellion the moſt horrid and univerſal, as ever befel this kingdom; and that nothing but the final extirpation of the Britiſh perſons, laws, religion, and government was deſigned and endeavoured by that war; yet the then Engliſh government thought not fit to tread in their ſteps, but ſtill declined making the war either national or religious, and did declare, and, as you know, made their declaration good at the end of the war, that thoſe of the Iriſh Papiſts as could prove their conſtant good affection to the Engliſh intereſt, as many then did, were as ſecure in their properties, as any of the Britiſh nation or religion; and by this means ſo divided their intereſt, that Sir Charles Coote's northern army was moſt of it compoſed of Iriſh Papiſts, who fought faithfully and ſucceſsfully againſt their

their countreymen, and many yet living know faithfully the white knight of Kerry and others as eminent as he, ſerved General Cromwell.

2. By publick proclamation in thoſe times, they protected Papiſts as well as Proteſtants, who would live peaceably under their government, from any violence to be done them by the ſoldiers, two private ſoldiers being publickly executed in the face of the whole army, for ſtealing two hens from an Iriſhman not worth ſixpence, for violating the proclamation, the firſt day General Cromwell made his advance from Dublin towards Droghedagh.

3. They forbid, under the like penalty of death without mercy, any contempt or violation of the lord general's public orders and proclamations.

4. They prohibited all free quartering on the countrey, or any ſoldiers quartering without billets from the conſtable, and would not ſuffer any ſoldier to quarter himſelf.

5. They likewiſe under ſevere penalties forbid private ſoldiers ſtraggling from their colours without paſſes, and ordered both civil and military magiſtrates to apprehend ſuch ſtragglers, to ſend them to their colours, then to be puniſhed according to their reſpective merits.

6. They gave great encouragement to Papiſts as well as Proteſtants, who would give hoſtages for their fidelity, and join with them.

7. They ſeverely puniſhed all open debauchery and impiety, and would frequently affirm, that good conduct was more uſually bleſſed with ſucceſs, than courage of armies.

8. Though they protected, as aforeſaid, Papiſts as well as Proteſtants, from the ſoldier's violence, yet they left both to be fined, impriſoned or ſequeſtered by the civil magiſtrates, according to their reſpective merits.

9. Both officers and ſoldiers were required to be aiding and aſſiſting to put in execution all orders or directions of the civil magiſtrate, eſpecially ſuch as referred to the well management of the public revenue.

10. They laboured all they could to leſſen the charge of England, and to encreaſe the public revenue of Ireland.

11. On aſſurance of punctual performance, they contented themſelves with four days pay in a week, and placed the other three days, to be paid out of forfeited lands.

Laſtly. By this abatement of their pay, and leaving rebels' goods, ſtock, and lands, and the public revenue to be improved by the civil magiſtrate, and making

making the ſoldiers duly pay for their quarters, they ſoon raiſed in this kingdom a revenue, which bore a moiety of the charge of the war.

I might enumerate many other particulars, which having been the ſubject matter of my diſcourſe with yourſelf, and ſome late letters I have wrote to Major Wildman, I intentionally decline. You know how often and how early we preſſed the neceſſity of reſtoring a civil government in this province, and how often and openly we declared that the ruine of the countrey muſt be the prejudice, and endanger the ruine of the army; and that there could be found no hands ſo cheap and eaſy to be got, or any that would be more hearty and faithfull than the Proteſtants of this countrey, who having their particular intereſts ſeconded by natural and religious motives muſt be more zealous in carrying on this war, than any foreign or mercenary ſoldiers, as is evident by what has been done by the Londonderry and Eneſkillen ſoldiers, who are and were made up of the meaneſt and loweſt people of this and the neighbouring provinces. You cannot forget who offered, and that at their own charge on our firſt landing here, to block up Charlemont, and to raiſe regiments to ſecure the northern garriſons, that the eſtabliſhed army might have the more leiſure to attend the motions of the public enemy; and I preſume you cannot but as well remember, who ridiculed, ſcorned, and contemned all motions of that kind, and who affirmed, and that openly, that the Proteſtants of this province, ought rather to be treated as enemies than friends, and that the beſt of them had either baſely complied with King James and his party, or cowardly left and deſerted their countrey, that the goods and ſtocks of the Proteſtant inhabitants, once ſeized by the enemy, were forfeited, and ought not to be reſtored, but given as encouragement to the ſoldiers; that all Papiſts ought to be plundered, and none protected; that the reſtoration of civil government was a diminution of the power of the general and the army, and that all the Proteſtants, inhabitants of this province, were falſe to the preſent government, and ought not to be truſted with places of truſt or power, that as their perſons were not to be truſted, ſo their oaths and complaints were neither to be believed nor redreſſed; that ſo an eaſier and a ſafer approach might be made to invade the little left them by the Iriſh.

That all endeavours of the ſettlement of a publick revenue were deſigns to oppreſs the army; that free quartering was the leaſt retaliation that the Proteſtants could give for being reſtored to their former eſtates; that religion is but canting, and debauchery the neceſſary character of ſoldiers. If to theſe you

you add the preſſing of horſes at pleaſure, quartering at pleaſure, robbing and plundering at pleaſure, denying the people bread or ſeed of their own corn, though the general by his public proclamation requires both, and ſome openly and publickly contemning and ſcorning the ſaid proclamation; whereby multitudes of families are already reduced to want of bread, and left only to beg, or ſteal, or ſtarve. Theſe being the practices, and theſe the principles, and both as well known to you as to me, can it be wondered that the oppreſſed Proteſtants here ſhould report us worſe than the Iriſh, or can it be wondered that God ſhould purſue us with his dreadful judgments who who have ſo provoked him with our daring ſins? Or can we rationally expect God ſhould fight for us, while we thus fight againſt him? We may as well expect grapes from thorns, and figs from thiſtles, as ſucceſs to a Proteſtant cauſe from ſuch hands. Can we expect Sodom to deſtroy Babylon, or Debauchery to deſtroy Popery? Our enemie fights with the principle of a miſtaken conſcience againſt us, we againſt the conviction of our own principles againſt them. What I have learned of the enemie's principles and practices ſince I left you, I ſhall here inform you, and reduce what I have to ſay to theſe two general heads:

I. The frequent diſcourſe of their king.

II. His public declarations and proclamations for the well government of his army.

I. As to his private diſcourſe.

1. He expreſſeth great zeal and paſſionate affection to his Engliſh ſubjects, in ſo much that both French and Iriſh often ſay of him, as he did of King David, that he loves his enemies and hates his friends.

2. He is heard often to deſire his officers, that in their engagement with the Engliſh, they ſhould be treated as miſtaken ſubjects, and not as obſtinate rebels.

3. He is heard often to declare, that ſince he rightly underſtood Chriſtianity, he ever aſſerted Chriſtian liberty, as well in his paſt proſperity, as his preſent adverſity.

4. That all perſwaſions in matters of religion, who have moſt charity and leaſt of ſeverity, are moſt agreeable to Chriſtianity.

5. He is often heard to complain, that he ever obſerved, an aptitude and propenſity in perſons of power to perſecute ſuch as differ from them.

6. That this natural aptitude to perſecute ought to be reſtrained by wholeſome and effectual laws.

7. That

7. That this perſecuting ſpirit influencing the greater number of all perſwaſions, eſpecially perſons in power, is the only cauſe of his majeſty's preſent ſufferings.

8. He is paſſionately kind to all deſerters, and chearfully receives and ſoon prefers them.

9. He pretending his ſufferings to be thus on the account of conſcience; ſeems not to doubt, but God will find ſome unexpected means, for his reſtauration in 1690, as he did in 1660.

10. He is heard frequently to declare againſt the dragooning perſecution of France, and the barbarous and inhumane murders committed on the Proteſtants of this kingdom in the year 1641, as paſſionately, and perhaps as ſincerely as the Scribes and Phariſees did againſt their forefathers for perſecuting the prophets. To theſe I think fit to add the particulars of his majeſty's publick declarations, which are ordered to be read once every two months in the head of every troop and company in his whole army, and to be fixed up in all the boroughs and market towns in this kingdom.

1. His majeſty is pleaſed earneſtly to recommend the performance of publick and private duties to God, to all under his command, and particularly recommends to the Roman Catholics of his army frequent confeſſions, and ſtrict obſervation of Sundays and holy-days.

2. He publickly declares what ſubſiſtance he allowes to every horſe, dragoon, and every private ſoldier in his army, and what is reſerved in the paymaſter's hands for the accoutrements and the hoſpital.

3. He avoids and forbids as unneceſſary, the charge of all agents, and commands the majors of every regiment to do that work, and to ſave the charge.

4. He ſtrictly requires the private ſoldier out of the ſaid ſubſiſtance duly and truly to pay his quarters.

5. In caſe they ſhall want their ſubſiſtance, they are then required every week to give their reſpective landlords a note under their hands, which ſhall be received by the receiver general, as ſo much money out of any branch of his majeſty's revenue.

6. His majeſty forbids all ſtraggling of private ſoldiers from their garriſons without their officers paſs; and requires all officers, either military or civil, to apprehend ſuch ſoldiers having no paſs, and to ſend them to their colours, to receive puniſhment according to their demerits.

7. His

7. His majeſty by the ſame proclamation, forbids all plundering on any pretence whatſoever, under pain of death without mercy.

8. He requires both officers and ſoldiers under the pain of his high diſpleaſure to demean and behave themſelves civilly and reſpectfully in their reſpective quarters; and to aſſiſt and not obſtruct the civil magiſtrates in the execution of their reſpective truſts, eſpecially the officers concerned in and about his majeſty's revenue.

9. He forbids all officers and ſoldiers to quarter themſelves on any of his majeſty's ſubjects, without having a billet or ticket under the hand of the conſtable or other civil officer of the place.

10. He ſtrictly forbids preſſing any country-man's horſe on any pretence whatſoever without having his majeſty, his captain general, his lord lieutetenant, or deputy lieutenant's licenſe for ſo doing; and then allows them to preſs the ſaid horſe but one day's journey, and to ſee that the horſe be returned as well as when received; and particularly forbids the preſſing any horſe belonging to any plough.

11. His majeſty in the ſame proclamation, enjoynes ſevere penalties on all foreſtallers or obſtructers of proviſion going to either camp or market.

Laſtly. The reſpective penalties enjoined in the ſaid proclamation, are ſeverely and impartially executed on the reſpective offenders. My family tells me that the week before they left Dublin, there were two private ſoldiers executed before a Proteſtant baker's door, for ſtealing two loaves not worth a ſhilling. And a fortnight before, a lieutenant and enſign were publickly executed at a place, where on pretence of the king's ſervice, they preſſed a horſe going with proviſions to Dublin market; two others were condemned and expected daily to be executed for the like offence; theſe ſevere examples confirming the penalties of theſe publick declarations, contribute ſo much to the quiet of the countrey, that were it not for the countrey Raparees and Tories, theirs 'tis thought, would be much quieter than ours. Some of our foreigners are very uneaſie to us; had not the prudence of a diſcreet major prevented it, laſt Sunday was ſeven night had been a bloody day between ſome of the Daniſh foot and Collonel Langton's regiment of horſe. The truth is too many of the Engliſh, as well as Danes and French, are highly oppreſſive to the poor countrey; whereas our enemy have reduced themſelves to that order, that they exerciſe violence on none, but the proprietors of ſuch as they know to be abſent, or, as they phraſe it, in re-

bellion againſt them, whoſe ſtock, goods and eſtates are ſeized, and ſet by the civil government, and the proceed applied for and towards the charge of the war. And for their better direction in their ſeizures, it's reported and believed, that they have copies of the particulars of the Proteſtant's paſſes given into the committee of the late Houſe of Commons at Weſtminſter.

The enemie's great work is to ſecure Dublin this ſummer, they fearing an attack before they could get forage for their horſe; and willing to haſten that ſupply, they long ſince ordered all the deer in the Parks of the Phœnix and Raffernham to be deſtroyed, and cattel to be removed from Dublin to get the more earlier graſs for their horſe; of which by many letters, I gave that early notice, that I fear we may pay too dear for the delay; they have ſeized all the arms and ſerviceable horſes they can find within their reach, the Iriſh having their religion and national principle ſupported on the pretence of law, and the preſence of the king; and all ſo openly owned by France, make them more united and unanimouſly reſolved than in any of their former wars. Their doctrine of paſſive obedience and liberty of conſcience gives them too great help of Proteſtant hands; we have not a known Papiſt with us, they have hundreds of deluded Proteſtants with them. I am credibly told, that they have a ſmall boat, which they ſend weekly to Wales to ſupply them with news from England; they ſpare for no charge to get ſpies and intelligence from our quarters; they report they have daily deſerters, and could have more, did they not preſume they may be more ſerviceable to them by continuing with us. They openly declare, that our army conſiſts moſt of their deſerters, and that it was ſucceſs made them leave them, and that the ſame motive will bring them back again. They told the number and the time of the Danes landing, and foretell that we ſhall ſoon repent their coming among us; they report, that laying aſide the Proteſtant hands of this country, and the other fore-mentioned principles, were arrows taken out of their quivers; they tell us, that our king cannot be here till June, and that they ſhall be ready a month ſooner to receive him. They report his army to be thirty thouſand, with vaſt ſtores of arms and ammunition and proviſion; the Londonderry and Eneſkillen forces, with the recruits of this countrey, are more dreadful to them than all our foreign forces. They are reſolved on a defenſive war, and in caſe they have their promiſed ſupplies, they ſeem not to doubt but to keep Dublin this ſummer; their great difficulty is, what to do with the great number of Proteſtants among them; they have many propo-

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ſals under conſideration, but as yet they came to no reſolution. The king is much averſe to all ſeverity, yet clearly ſees he can make no impreſſion of loyalty on them. The enemy (as my wife and family, which have got leave lately to come to me from Dublin, tell me), report with more confidence than, I hope, truth, that we have many Monks in our army, many Sandwiches in our fleet, and many Shaftſburys in our councils; and that they laid thoſe variety of engines both in England, Scotland, and Ireland, that they ſeem not to doubt but that they ſhall have as many invitations for their return in England in 1690, as they had in 1660; and that this ſummer they ſhall be able to get eighty thouſand men into the field, and find money for their conſtant pay.

Being ſo united as they are, and carrying on the war with ſo great concurrence of their church, and having France for an additional ſupport, I do no ways wonder but that they may have as many men; but how to procure them conſtant pay, was ſomewhat my trouble to know. By their eſtabliſhment, I find, beſides accoutrements and hoſpital, that the pay of a foot ſoldier is but 4d. a trooper as much over as a dragoon is ſhort of 12d. per diem; ſo that ſeventy thouſand foot will amount to 456,000*l.* per annum; and ten thouſand horſe, at 12d. per diem, amounts to above 182,000*l.* making in the whole 638,000*l.* and if one fourth more is added for general officers, train of artillery, contingencies, &c. the whole amounts to 797,000*l.* How this ſum may be raiſed out of only three provinces of this country, ſeems to be the great doubt. By comparing ſeveral accounts I have received from ſpies, I find the heads of their revenue to be as followeth:

1. I find the late parliament of Ireland granted their king a ſubſidy of 20,000*l.* per menſem, charged on ſtock and lands.

2. The enemy finding us poſſeſſed of one province ſince the paſſing that act; and finding much of the other three provinces made waſte by their order; and that by the frequent returns of their braſs and pewter money, a great inland trade is increaſed, they have, by public proclamation, ordered 20,000*l.* more to be aſſeſſed on the trading part of the nation, according to their reſpective trades; both which are preſumed cannot yield leſs than 30,000*l.* per *menſem de claro*, which is per annum 360,000*l.*

3. They have bought on the king's account all the wool, at 6*s.* per ſtone, tallow at 15*l.* per tun, beef, tallow, hides, &c. which they intend to ſend for France to buy arms and ammunition, &c. which they eſteem may be worth

at leaſt 200,000*l.* the wool licence at 4*d.* per ſtone, to tranſport it only for England, was uſually worth to the chief governors 4 or 5000*l.* per annum.

4. It is reported, they have agreed with perſons who are obliged to coin them this year 150,000*l.* braſs and pewter money.

5. The rent of church lands and abſentees eſtates, beſides their goods and ſtocks, are eſtimated at leaſt to be 150,000*l.* per annum; the truth of this will appear by the aforeſaid books given into the committee of parliament.

6. The king's ſtanding revenue of rents, hearths, cuſtoms, exciſe, and caſual revenue, cannot be leſs than 150,000*l.* more.

Memorandum. That all the aforeſaid particulars amount to 860,000*l.* out of which deduced the 797,000*l.* there will remain 73,000*l.* beſides what helps may be given him by France, &c. and the addition that may be made by their coining braſs and pewter money above the aforeſaid contract, which braſs and pewter coin being not fit to be kept, quickens returns, and increaſeth their trade. By all which it appears, that the enemy cannot want current coin to ſupport the war: but had we ſhips of war lying by in their harbour to prevent their exportations; and were Dublin ſecured, their trade and revenue would ſoon be leſſened. But if they are ſuffered to export their vaſt quantity of goods they have now ſtored up in their ports, it may not only give a further increaſe to their revenue, but occaſion a longer continuance of the war, eſpecially having made the eſtabliſhment of their army ſo low, and the current value of their braſs coin ſo high. Their braſs and pewter coin is of equal weight with our ſilver coin, which being uſually bought for 12d. per pound, is of equal value with our ſilver, which is 3l. per pound: and their eſtabliſhment being a moiety ſhort of ours, 'tis demonſtrable, that ſix-penny worth of their braſs or pewter mony, ſhall pay double as many ſoldiers as 3l. of our ſilver coin. What advantage this money gives their trade: what eaſe in the pay of the army, and ſupplying them with proviſion, is very demonſtrable; yet 'tis as ſtrange as true, that notwithſtanding they are better paid, better diſciplined than our army, yet hitherto we may ſet up an Ebenezar, and ſay, that a God hath hitherto fought for us; and that by the ſeeming worſe diſcipline, worſe mounted, and worſe of our whole army; I mean by our Eneſkillen and Londonderry forces, whoſe moral and religious principles you know are little better, but generally worſe than theirs, they having conſtantly beat their moſt choice and detached parties, with a confuſed and diſordered rabble, when they were not half the number of their enemies, and have ſtruck them with

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that terror, that it is believed, notwithſtanding their great number, and proviſion for their ſupport, the enemy intends this ſummer only a defenſive war, and to fight only by detachments. But that which to me ſeems moſt ſtrange, yet is true, that notwithſtanding all the violence, oppreſſion, and wrong done, by theſe and other of our army, on the impoveriſhed, oppreſſed, and plundered Proteſtant inhabitants of this province, and the little encouragement and great diſcouragement they have had from us; yet you know, what I eſteem as a great preſage of future good, they continue and remain as firm and faithful to us, as the Iriſh papiſts againſt us. How frequently do we hear them tell us, that though we continue to injure them, rob and deſtroy them, yet they muſt truſt in us, and be true and faithful to us.

We have juſt now intelligence of the arrival of the French ſuccours, and vaſt ſtores of arms and proviſions. Oh, ſir! where's our fleet? Did they want early notice of their approach? What lethargy attends them, and what judgment us, that the Iriſh have had as ſecure paſſage from Dublin to France, Scotland, and England, as if we had not one man of war to hinder them, or ſecure us? If the French fleet carry off as vaſt quantities of our native goods as they have brought in their foreign ſuccours, Ichabod may be wrote on our future proceedings, it being believed by ſome, and confidently reported by others lately come from Dublin, that they were apprehending the chief Proteſtants in and about that city, to tranſport and make them priſoners and ſlaves of France.

Let me know the receipt of this voluminous letter, and the uſe you make of it. You may pardon the tedioufneſs of this letter, which, if an offence, is not likely to be haſtily repeated.

Your true friend and faithful ſervant,

ROBERT GORGE.

No. XLVI.

An Act for the Attainder of divers Rebels, and for preſerving the Intereſt of loyal Subjects. (*Page* 139.)

HUMBLY beſeech your majeſty, the commons in this preſent parliament aſſembled, that whereas a moſt horrid invaſion was made by your unnatural enemy

enemy the Prince of Orange, invited thereunto, and aſſiſted by many of your majeſty's rebellious and traiterous ſubjects of your majeſty's dominions; and ſuch their inviting and aſſiſting, made manifeſt by their perfidious deſerting your majeſty's ſervice, in which, by your many princely obligations, beſides their natural duties, they were bounden; and having likewiſe to obtain their wicked ends, raiſed and levied open rebellion and war in ſeveral places in this kingdom, and entered into aſſociations, and met in conventions in order to call in and ſet up the ſaid Prince of Orange, as well in Ulſter and Connaught, as in the other provinces of Munſter and Leinſter: to quell which, your ſacred majeſty's late deputy in this kingdom, Richard, then Earl, and now Duke of Tyrconnel, before your majeſty's happy arrival in this kingdom; and your ſacred majeſty ſince your arrival here, have been neceſſitated to raiſe an army to your majeſty's great charge and expence. And though the ſaid rebels and traitors, after their having the impudence to declare for the Prince and Princeſs of Orange againſt your ſacred majeſty, were with all mildneſs and humanity called in to their allegiance, by proclamations, and promiſes of pardon for their paſt offences, and protection for the future: and though ſome of the ſaid proclamations aſſured pardon to all ſuch as ſhould ſubmit themſelves; and that no perſons were excepted in the laſt proclamation beſides very few, not exceeding ten in number, and few or none of any note came in, in obedience thereunto, and that very many of the perſons who came in upon protections, and took the oath of allegiance to your majeſty, were afterwards found amongſt the rebels in open arms and hoſtility, when taken priſoners or killed, ſuch protections being found with them: ſo villainous were they by adding perjury to their former crimes: That it may be enacted, and be it enacted by your moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by authority of the ſame, That all thoſe perſons, who have notoriouſly joined in the ſaid rebellion and invaſion, and ſome which are upon indictments condemned, ſome executed for high treaſon, and the reſt ran away, or abſcond, or are now in actual ſervice of the Prince of Orange againſt your majeſty, and others killed in open rebellion, or now in arms againſt your majeſty, or otherwiſe: and every of them ſhall be deemed, taken and reputed, and are hereby declared and adjudged traitors, convicted and attainted of high treaſon; and ſhall ſuffer ſuch pains of death, penalties and forfeitures reſpectively, as in caſes of high treaſon are

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accuſtomed. Provided, that in caſe it happen, that any of the perſons hereby attainted, or to be attainted, do now abide or dwell in this kingdom, and are amenable to the law, that then and in ſuch caſe, if ſuch perſon and perſons do by the 10th day of Auguſt, one thouſand ſix hundred and eighty-nine, without compulſion, of his own accord come in and deliver himſelf to the lord chief juſtice of your majeſty's court of King's Bench in Ireland, or to any other of the judges of the ſaid court, or of any other of your majeſty's four courts in Dublin, or to any other judge of aſſize in their circuits to be charged with any treaſon, to be charged or imputed to him or them, that then and in ſuch caſe, ſuch perſon and perſons (if after acquitted by the laws of this land, or diſcharged by proclamation) ſhall be freed, diſcharged, and acquitted from all pains, puniſhments, and forfeitures by this act incurred, laid, or impoſed; any thing in this act to the contrary in any wiſe notwithſtanding. And whereas ſeveral other perſons have abſented themſelves from this kingdom, and have gone into England or ſome other places beyond the ſeas, ſince the 5th day of November laſt, or in ſhort time before, and did not return, although called home by your majeſty's gracious proclamation: which abſenting, and not returning, cannot be conſtrued otherwiſe than to a wicked and traiterous purpoſe, and may thereby juſtly forfeit all their right and pretenſions to all and every the lands, tenements, and hereditaments to them belonging in this kingdom: be it therefore enacted by the authority aforeſaid, that in caſe the ſaid perſon and perſons do not by the 1ſt day of September, one thouſand ſix hundred eighty-nine, of his or their own accord, without compulſion, return into this kingdom, and tender him and themſelves to the chief juſtice of his majeſty's court of King's Bench, or to ſome other judge of the ſaid court, or judge of aſſize in circuit, or any of the lords of your majeſty's moſt honorable privy council to be charged with any crimes to him or them to be imputed, that then, or in ſuch caſe as he or they, upon ſuch his or their return, ſhall be convicted by verdict of twelve men, or by his or their own confeſſion, upon his or their arraignment for treaſon, or upon his or their arraignment ſtand mute, ſuch perſon and perſons ſo abſent, and not returning, as aforeſaid, (or after his or their return, being convicted of high treaſon, as aforeſaid) ſhall, from and after the 1ſt day of September, one thouſand ſix hundred eighty-nine, be deemed, reputed, and taken as traitors, convict and attainted of high treaſon; and ſhall ſuffer ſuch pains of death, and other forfeitures and penalties, as in caſes of high treaſon are accuſ-

accuſtomed. But in caſe ſuch perſon or perſons ſo returning, be upon his or their trial acquitted or diſcharged by proclamation, then ſuch perſon and perſons reſpectively ſhall from thenceforth be freed, diſcharged, and acquitted from all pains, puniſhments, and forfeitures by this act incurred, laid, or impoſed; any thing in this act to the contrary notwithſtanding.

And whereas ſeveral perſons have before the ſaid 5th day of November laſt, abſented themſelves from this kingdom, and live in England, Scotland, or the Iſle of Man, and there now abide; and by their not coming or returning into this kingdom upon your majeſty's proclamation, to aſſiſt in defence of this realm, according to their allegiance, muſt be preſumed to adhere to the ſaid Prince of Orange, in caſe they return not within the time by this act preſcribed, and thereby may juſtly forfeit all the lands, tenements, and hereditaments, which they or any of them are entitled unto, within this kingdom: be it therefore enacted by the authority aforeſaid, that in caſe the ſaid perſon and perſons laſt mentioned, do not by the 1ſt day of October, one thouſand ſix hundred eighty-nine, of his and their own accord, without compulſion, return into this kingdom, and tender him and themſelves to the chief juſtice of your majeſty's court of King's Bench, or to ſome other judge of the ſaid court, or judge of aſſize in his circuit, or any of the lords of your majeſty's moſt honorable privy council to be charged with any crime or crimes to him or them, to be charged or imputed, that then, or in caſe he or they, upon ſuch his or their return, ſhall convict by verdict of twelve men, or by his or their own confeſſion, upon his or their arraignment for treaſon, or upon his or their arraignment, ſtand mute; ſuch perſon and perſons ſo abſent, and not returning as aforeſaid, or after his or their return being convict of treaſon as aforeſaid, ſhall, from and after the ſaid 1ſt day of October, one thouſand ſix hundred eighty-nine, be deemed, reputed and taken as traitors, convict, and attainted of high treaſon, and ſuffer ſuch pains of death, and other forfeitures and penalties, as in caſes of high treaſon is accuſtomed: but in caſe ſuch perſon and perſons ſo returning, upon ſuch his or their trial, be acquitted or diſcharged by proclamation, then ſuch perſon and perſons reſpectively ſhall from thenceforth be freed, diſcharged, and acquitted from all pains, puniſhment, and forfeitures by this act incurred, laid, or impoſed; any thing in this act to the contrary notwithſtanding. Provided always, that in caſe your majeſty ſhall happen to go into the kingdom of England or Scotland before the 1ſt day of October, one thouſand ſix hundred

dred eighty-nine, then all thoſe whoſe dwelling and reſidence always hath been in England, ſhall give your majeſty ſuch teſtimony of their loyalty and fidelity, as that your majeſty will be pleaſed on or before the ſaid 1ſt day of October, one thouſand ſix hundred eighty-nine, to certify under your privy ſignet or ſign manual unto your chief governor or governors of this kingdom, that your majeſty is ſatisfied or aſſured of the loyalty and fidelity of the perſons laſt included, or of any of them; that then if ſuch certificate ſhall on or before the 1ſt day of November, one thouſand ſix hundred eighty-nine, be produced to your chief governor or governors of this kingdom, and enrolled in your majeſty's high court of Chancery, the ſame ſhall be ſufficient diſcharge and acquittal to ſuch of the ſaid perſons laſt included, and every of them reſpectively, whoſe loyalty and fidelity your majeſty will be pleaſed to certify in manner as aforeſaid. And be it further enacted, that in the mean time, and until ſuch return and acquittal, all the lands, tenements, and hereditaments within this kingdom, belonging to all and every abſentee and abſentees, or other perſon to be attainted as aforeſaid, ſhall be and are hereby veſted in your majeſty, your heirs and ſucceſſors, as from the 1ſt day of Auguſt laſt paſt. And be it further enacted by the authority aforeſaid, that all and every ſuch perſon and perſons, as by any the foregoing clauſes is, are, or ſhall be reſpectively attainted, ſhall, as from the 1ſt day of Auguſt, one thouſand ſix hundred eighty-eight, forfeit unto your majeſty, your heirs, and ſucceſſors, all ſuch manors, lands, tenements, and hereditaments, and all right, title, ſervice, chiefery, uſe, truſt, condition, fee, rent charge, right of redemption of mortgages, right of entries, right of action, or any other intereſt of what nature or kind ſoever, either in law or equity, of, in, or unto any lands, tenements, or hereditaments within this kingdom, belonging or appertaining to ſuch perſon or perſons, ſo as aforeſaid attainted, or to be attainted, in his or their own right, or to any other in truſt for him or them, on the ſaid 1ſt day of Auguſt, one thouſand ſix hundred eighty-eight, or at any time ſince, and all the ſaid lands, tenements, and hereditaments, ſo as aforeſaid, forfeited unto and veſted in your majeſty, your heirs and ſucceſſors, hereby are and ſhall be veſted in your majeſty, your heirs and ſucceſſors, whether ſuch perſon or perſons were ſeized thereof in fee abſolute or conditional, or in tayl, or for live or lives, and that freed and freely diſcharged off and from all eſtates tayl, and for life, and from all reverſions and remainders for life, for years, or in fee abſolute or conditional, or in tayl, or to any perſon

or perſons whatſoever, ſuch remainder as by one act or ſtatute of this preſent parliament, intituled, an act for repealing the acts of ſettlement and explanation, reſolution of doubts, and all grants, patents, and certificates purſuant to them or any of them, or by this preſent act are ſaved and preſerved, always excepted and fore-prized. Provided always, that the nocency of forfeiture of any tenant in dower, tenant by the courteſy, joyntreſs for life, or other tenant for life or lives in actual poſſeſſion, ſhall not extend to bar, forfeit, make void, or diſcharge any reverſion or reverſions veſted in any perſon or perſons, not engaged in the uſurpation or rebellion aforeſaid, ſuch reverſion and reverſions being immediately depending or expectant upon the particular eſtate of ſuch tenant in dower, tenant by the courteſy, jointreſs for life, or other tenant for life or lives; any thing in the ſaid act of repeal, or in this preſent act to the contrary notwithſtanding. Provided always, and be it further enacted by the authority aforeſaid, that nothing in this preſent act contained, ſhall any way extend, or be conſtrued to extend, to forfeit or veſt in your majeſty, your heirs or ſucceſſors any remainder or remainders for valuable conſiderations, limited or ſettled by any ſettlement or conveyance made for ſuch valuable conſiderations, either of marriage or marriage portion, or other valuable conſideration whatſoever, upon any eſtate for life or lives, to any perſon or perſons not concerned in the uſurpation or rebellion aforeſaid; ſuch remainder or remainders as are limited or ſettled by any conveyance, wherein there is any power for revoking and altering all or any the uſe or uſes therein limited, and alſo ſuch remainder and remainders as are limited upon any ſettlement or conveyance of any lands, tenements, and hereditaments, commonly called plantation lands; and all lands, tenements, and hereditaments held or enjoyed under ſuch grants from the crown, or grants upon the commiſſion or commiſſions of grace for remedy of defective titles, either in the reign of King James the Firſt, or King Charles the Firſt; in which ſeveral grants reſpectively there are proviſoes or covenants for raiſing or keeping any number of men or arms for the king's majeſty againſt rebels and enemies, or for raiſing of men for his majeſty's ſervice, for expedition of war, always excepted and fore-prized. All which remainders limited by ſuch conveyances wherein there is power of revocation for ſo much of the lands, uſes, and eſtates therein limited as the ſaid power doth or ſhall extend unto; and all ſuch remainders as are derived or limited for or under ſuch intereſt made of plantation lands, or other lands held as aforeſaid, under ſuch grants from the crown; and all

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and every other remainder and remainders, reverſion and reverſions not herein mentioned, to be ſaved and preſerved, ſhall by the authority of this preſent parliament, be deemed, conſtrued, and adjudged void, debarred, and diſcharged to all intents and purpoſes whatſoever, againſt your majeſty, your heirs, and ſucceſſors, and your and their grantees or aſſigns; and the ſaid lands, tenements, and hereditaments, belonging to ſuch rebels as aforeſaid, ſhall be veſted in your majeſty, your heirs, and ſucceſſors, freed and diſcharged of the ſaid remainder and remainders, and every of them. And to the end the reverſions and remainders ſaved and preſerved by this act, may appear with all convenient ſpeed, be it further enacted by the authority aforeſaid, that the reſpective perſons, entitled to ſuch remainders and reverſions, do within ſixty days next after the firſt ſitting of the commiſſioners, for executing the ſaid act of repeal, and this preſent act, exhibit their claims before the ſaid commiſſioners, and make out their titles to ſuch remainder or remainders, ſo as to procure their adjudication and certificate for the ſame, or the adjudication and certificate of ſome three or more of them: and further, that all remainders for which ſuch adjudication and certificates ſhall not be procured, at or before one hundred and twenty days after the firſt ſitting of the ſaid commiſſioners, ſhall be void, and for ever barred and excluded; any thing in this act, or other matter to the contrary in any wiſe notwithſtanding. All which lands, tenements, and hereditaments mentioned as aforeſaid, to be forfeited unto, and veſted in your majeſty, by any the clauſes aforeſaid, are hereby declared to be ſo forfeited unto, and veſted in your majeſty, without any office or inquiſition thereof, found or to be found; and the ſame to be to the uſes, intents, and purpoſes in the ſaid act of repeals, and in this preſent act mentioned and expreſſed. And whereas ſeveral perſons are, and for ſome time paſt have been abſent out of this kingdom, and by reaſon of ſickneſs, nonage, infirmities, or other diſabilities, may for ſome time further be obliged ſo to ſtay out of this kingdom, or be diſabled to return thereunto. Nevertheleſs, it being much to the weakening and impoveriſhing of this realm, that any of the rents or profits of the lands, tenements, or hereditaments therein, ſhould be ſent into, or ſpent in any other place beyond the ſeas, but that the ſame ſhould be kept and employed within the realm for the better ſupport and defence thereof, be it further enacted by the authority aforeſaid, that all the lands, tenements and hereditaments, uſe, truſt, poſſeſſion, reverſion, remainder, and all and every other eſtate, title, and intereſt

whatſoever, belonging or appertaining to all and every the perſons herein before laſt mentioned, within this kingdom, be and are hereby veſted in your majeſty, your heirs, and ſucceſſors, to the uſe of your majeſty, your heirs, and ſucceſſors. Provided always, that if any perſon or perſons, in the next foregoing clauſe included, have hitherto behaved themſelves loyally and faithfully to your majeſty, that then if they or any of them, their or any of their heirs, do hereafter return into this kingdom, and behave him or themſelves as becometh loyal ſubjects, and do, on or before the laſt day of the firſt term next enſuing, after ſuch their return, exhibit his or their petition or claim, before the commiſſioners for execution of the ſaid acts, if then ſitting; or in his majeſty's high court of Chancery, or in his majeſty's court of Exchequer, for any ſuch lands, tenements, or hereditaments, and make out his or their title thereunto, and obtain the adjudication and decree of any of the ſaid courts, of and for ſuch his or their title, that then and in ſuch caſe, ſuch adjudication and decree ſhall be ſufficient to all ſuch perſon or perſons, for diveſting and reſtoring ſuch eſtate, and no other ſhall be therein and thereby to him or them adjudged and decreed; and that the order of any of the ſaid court ſhall be a ſufficient warrant to all ſheriffs, or other proper officers to whom the ſame ſhall be directed, to put ſuch perſon or perſons in the actual ſeizin and poſſeſſion of the ſaid lands; any thing in this act contained, or any other ſtatute, law, or cuſtom whatſoever to the contrary in any wiſe notwithſtanding. Provided always, and be it further enacted by the authority aforeſaid, that neither the ſaid act of repeal, or this preſent, or any thing in them or in either of them contained, ſhall extend to, or be conſtrued to forfeit or veſt in your majeſty, your heirs, or ſucceſſors; or otherwiſe to bar, extinguiſh, or weaken any right of entry, right of action, uſe, truſt, leaſe, condition, or equity of redemption of any mortgage or mortgages, which on the ſaid 1ſt day of Auguſt, one thouſand ſix hundred eighty-eight, belonged or appertained to any perſons, not being forfeiting perſons, within the true intent and meaning of the ſaid act of repeal, or of this preſent act; and which ever ſince the 1ſt day of Auguſt, one thouſand ſix hundred eighty-eight, continued or remained in ſuch perſons, not being forfeiting, or devolved, deſcended, or come from them, or any of them, to any of their heirs, executors, or adminiſtrators, not being forfeiting perſons as aforeſaid; any thing in this act, or the ſaid act of repeal to the contrary notwithſtanding. Provided always, that the ſaid perſon or perſons, claiming ſuch right of entry, right of action,

action, uſe, truſt, leaſe, condition, or equity of redemption of mortgage, do and ſhall exhibit his and their claim for the ſame, before the commiſſioners for execution of the ſaid act of repeal, or of this preſent act, within ſixty days after the firſt ſitting of the ſaid commiſſioners, and procure the adjudication of them, or any three or more of them thereupon, within one hundred and twenty days after the ſaid firſt ſitting of the ſaid commiſſioners. And whereas by one or more office or offices, in the time of the Earl of Strafford's government in this kingdom, in the reign of King Charles the Firſt, of ever bleſſed memory, all or a great part of the lands, tenements, and hereditaments in the province of Connaught, and counties of Clare, Limerick, and Tipperary, were veſted in his majeſty: and by the acts of ſettlement and explanation, the ſaid office and offices are declared to be null and void, ſince which time the ſaid acts have been by the ſaid act of repeal, repealed, and thereby ſome prejudice might ariſe or accrue to the proprietors concerned in thoſe lands, if not prevented: be it therefore enacted by the authority aforeſaid, that the ſaid office and offices, and every of them, commonly called the grand office, and the title thereby found, or endeavoured to be made out and ſet up, from the time of the finding or taking thereof, was and is hereby declared to be null and void, to all intents and purpoſes whatſoever. Provided, that nothing therein contained ſhall any way extend, or be conſtrued to extend, to charge any perſon or perſons who hath, *bona fide*, paid any rents or arrears of rent, that have been due and payable out of any lands hereby veſted in your majeſty; or to charge any ſteward or receiver, that received any ſuch rents, or arrears of rents, if he, *bona fide*, paid the ſame; but that he and they ſhall be hereby diſcharged, for ſo much as he or they ſo *bona fide* paid, againſt your majeſty, your heirs, and ſucceſſors. Provided always, and it is hereby enacted, that every perſon not being a forfeited perſon, within the true intent and meaning of the ſaid former act, or of this preſent act, and who before the ſeventh day of May, one thouſand ſix hundred eighty-nine, had any ſtatute ſtaple, or recognizance for payment of money, or any mortgage, rent charge, portion, truſt, or other incumbrance, either in law or equity, or any judgment, before the two and twentieth day of May, one thouſand ſix hundred eighty-nine, for payment of money, which might charge any of the eſtates, lands, tenements, or hereditaments, ſo as aforeſaid forfeited unto, and veſted in your majeſty, ſhall and may have the benefit of the ſaid ſtatute ſtaple, judgments, recognizances, mortgages,

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rent-charge, portions, truſts, and other incumbrances, out of the eſtate or eſtates which ſhould be liable thereunto, in caſe the ſaid former act, or this preſent act had never been made. Provided always, that the perſon and perſons who had ſuch ſtatutes ſtaple, judgment, recognizances, or other truſts or incumbrances, do claim the ſame before the commiſſioners, for execution of the ſaid former act, within two months after the firſt ſitting of the ſaid commiſſioners, and procure their adjudication thereof, within ſuch reaſonable time as the ſaid commiſſioners ſhall appoint for determining the ſame. And to the end that ſuch perſon and perſons as ſhall have any of the ſaid lands, tenements, or hereditaments, granted unto him as aforeſaid, may know the clear value of the ſaid lands, tenements, and hereditaments, ſo to be granted unto him above all incumbrances, and may enjoy the ſame againſt all ſtatutes ſtaple, judgments, recognizances, mortgages, rent-charges, and other incumbrances not claimed and adjudged as aforeſaid.

Be it therefore enacted, by the authority aforeſaid, that all ſuch lands, tenements and hereditaments, as ſhall be forfeited unto and veſted in your majeſty, and granted by letters patents purſuant to the ſaid former act, or this preſent act, ſhall be, and are hereby freed, acquitted and diſcharged of and from all eſtates, charges and incumbrances whatſoever, other than what ſhall be claimed and adjudged as aforeſaid. And whereas by one private act of parliament, intituled, An act for ſecuring of ſeveral lands, tenements, and hereditaments to George Duke of Albermarle, which act was paſſed in the reign of King Charles the Second; ſome lands, tenements, and hereditaments in this kingdom, which on the two and twentieth day of October, one thouſand ſix hundred forty-one, belonged to ſome ancient proprietor or proprietors, who were diſpoſſeſſed thereof by the late uſurped powers, were ſecured and aſſured unto the ſaid Duke of Albermarle, by means whereof the ancient proprietors of the ſaid lands may be barred and deprived of their ancient eſtates, unleſs the ſaid act be repealed, though ſuch ancient proprietor or proprietors be as juſtly intituled to reſtitution as other ancient proprietors, who were diſpoſſeſſed by the uſurper, and barred by the late acts of ſettlement and explanation. Be it therefore enacted, that the ſaid act for ſecuring of ſeveral lands, tenements, and hereditaments to George Duke of Albermarle, be and is hereby repealed to all intents and purpoſes whatſoever: and that the proprietors of the ſaid lands, and their heirs and aſſigns, be reſtored to their ſaid ancient eſtates in the ſame manner with the ſaid other ancient

cient proprietors, their heirs and aſſigns. And whereas ſeveral ancient proprietors, whoſe eſtates were ſeized and veſted in perſons deriving a title under the ſaid acts of ſettlement or explanation, have in ſome time after the paſſing of the ſaid acts, purchaſed their own ancient eſtates, or part thereof, from perſons who held the ſame under the ſaid acts as aforeſaid, which old proprietors would now be reſtored to their ſaid ancient eſtates, if they had not purchaſed the ſame. And for as much as the ſaid ancient proprietors or their heirs ſhould receive no benefit of the ſaid act of repeal, ſhould they not be reprized for the money paid by them for their ſaid ancient eſtates. Be it therefore enacted, by the authority aforeſaid, that all and every the ancient proprietor or proprietors, or their heirs, who have laid out any ſum or ſums of money, for the purchaſe of their own ancient eſtates, or any part thereof as aforeſaid, ſhall receive out of the common ſtock of reprizals a ſufficient recompence and ſatisfaction for the money laid out or paid by him or them, for the purchaſe of their ſaid ancient eſtate, at the rate of ten years purchaſe, any clauſe, act, or ſtatute to contrary in any wiſe notwithſtanding. And for the prevention of all unneceſſary delays and unjuſt charges, which can or may happen to the ſubjects of this realm before their full and final ſettlement, be it further enacted, by the authority aforeſaid, that where the commiſſioners for execution of the ſaid act of repeal, or any three or more of them, ſhall give any certificate under his and their hands and ſeals to any perſon or perſons, bodies politick or corporate, in order to the paſſing of any letters patents, according to the ſaid act, and ſhall likewiſe return a duplicate of ſuch certificate into his majeſtie's court of Exchequer at Dublin, to be there enrolled, and the perſon or perſons, bodies politick or corporate, to whom ſuch certificate ſhall be given, ſhall, during the ſpace of ſix months next enſuing the date thereof, diligently proſecute the having and obtaining letters patents accordingly, but ſhall thereof be debarred and hindered by the neglect of any officer or officers; that then and in ſuch caſe the ſeveral and reſpective perſons, bodies politick and corporate, to whom and in whoſe behalf ſuch certificate ſhall be given or granted, ſhall hold and enjoy the ſeveral meſſuages, manors, lands, tenements, and hereditaments, in the ſeveral reſpective certificates mentioned and allotted, according to ſuch eſtates and under ſuch rent as is therein mentioned, as fully and amply to all intents and purpoſes, as if letters patents thereof had been granted and perfected according to the direction in the ſaid former act; any thing in this, or the ſaid former act, or

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any other law, ſtatute, or uſage to the contrary notwithſtanding. And whereas, by the hardſhips and oppreſſions introduced by the ſaid act of ſettlement and explanation, ſome ancient proprietors who would have been reſtorable by the ſaid act of repeal, have been neceſſitated to accept of leaſes for life, lives or years, or gifts in tail, or other conveyances of their own reſpective eſtates, and have contracted to pay ſome rents, duties, or other reſervations out of ſuch their ancient eſtates, by which acceptance of leaſes or gifts before mentioned, and by the ſaid agreements to pay rents, duties, or reſervations for the ſame, the ſaid ancient proprietors may be barred or ſtopped, and concluded from the benefit of reſtitution, intended for ancient proprietors by the ſaid act of repeal; be it therefore enacted, that the acceptance of any leaſe or leaſes, gift or gifts in tayl, or any agreement or agreements upon any ſuch account for payment of rents, duties, or any other reſervation, for ſuch their reſpective ancient eſtate or eſtates, ſhall be no way prejudicial or binding, or concluſive to any ſuch ancient proprietor, or his or their heirs, executors, or adminiſtrators, who have not actually by ſome legal ways or means, releaſed his or their right or rights to his or their ſaid ancient eſtates, unto their ſaid leſſors or donors: any thing herein or in the ſaid act of repeal, to the contrary notwithſtanding. Whereas ſome or moſt of the lands to be given in reprizals, have not been ſurveyed by the ſurveys, commonly called the Down Survey, or Strafford Survey; and that a certain way is neceſſary to be preſcribed for aſcertaining the quit-rents now made payable thereout. Be it therefore enacted, by the authority aforeſaid, that the commiſſioners for the executing of the ſaid act of repeal, or any three of them, ſhall and may be impowered to aſcertain ſuch quantities payable out of ſuch lands ſo to be given in reprize, and to that purpoſe to iſſue commiſſions for valuations or ſurveys, as they ſhall think fit; and that ſuch ſurveys ſhall be made according to the rules and methods uſed for the Down Survey, wherein the unprofitable is to be thrown in with the profitable, and where the lands appear barren, or the quit-rents by the ſaid act of repeal, proper or fit to be reduced, it ſhall and may be lawful for them to reduce the ſame; in which caſe ſuch reduced or reſerved quit-rents, ſhall be and are hereby the only quit-rent payable out of the ſaid lands, if ſuch quit-rents be more than the crown-rents, before this act payable out of the ſaid lands. But in caſe the ancient crown-rent be more, the greater rent ſhall be the rent reſerved thereout. Provided yet likewiſe, that the commiſſioners for the execution of the

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ſaid act of repeal, or in default of them, the barons of their majeſtie's court of Exchequer, within five years after the firſt ſitting of the commiſſioners, for the execution of the ſaid act, ſhall be and are hereby impowered to reduce the quit-rents by the ſaid act, and payable out of lands, by the ſaid act of repeal ſo to be reſtored, or formerly reſtored to the former proprietors thereof, where the lands are barren, or of ſo ſmall value that the quit-rent doth amount to the fourth part of the value of the lands, and may be diſcouragement to the plantation of the ſaid lands, and that ſuch aſcertaining or abating of quit-rents, under the hands and ſeals of the ſaid commiſſioners or barons reſpectively, ſhall be good and effectual, as if the ſame had been enacted by theſe preſents, any thing herein, or in the ſaid acts of repeal contained to the contrary notwithſtanding. And be it further enacted, that the commiſſioners to be appointed for ſetting forth reprizals purſuant to the ſaid act of repeal, or any three of them, ſhall out of the ſtock of reprizals therein, and in this preſent act, or in either of them mentioned, ſet forth and allot reprizals to ſuch perſon and perſons, as by virtue of this preſent act are appointed to be reprized, and ſhall and may alſo execute ſuch other parts of this act as are to be executed by commiſſioners. And whereas divers lands, tenements, and hereditaments forfeited unto and veſted in your majeſty, are or may be found to be liable to divers debts or other entire payments ſaved by this act: and for levying and receiving the ſame, the perſon or perſons intitled thereunto, might charge any part of the lands, tenements, or hereditaments, originally liable to the ſaid debts or payments, with more than a juſt proportion thereof, whereby ſome of the perſons, to whom part of the ſaid lands, tenements, or hereditaments ſhall be allotted or granted in reprizal, may be overcharged in ſuch part or proportion of the ſaid lands, tenements or hereditaments, as ſhall be ſo to him or them granted or allotted, which may occaſion great prejudice and loſs to ſome of the ſaid reprizable perſons, if due courſe be not taken for appointing the ſaid debts and payments: for remedy whereof, be it enacted by the authority aforeſaid, that the commiſſioners for executing of the ſaid act of repeal, and this preſent act, or any three or more of them, be and are hereby empowered and required equally to apportion ſuch debts and payments as ſhall appear to them to be chargeable upon, or levyable out of any lands, tenements, and hereditaments, to be ſet forth for reprizals as aforeſaid: and to aſcertain what proportion of ſuch debts or payments each and every proportion of the lands, tenements,

and hereditaments, which were originally liable thereunto, and which ſhall be ſeparately ſet forth for reprizals as aforeſaid, ſhall remain liable to pay or diſcharge, and the reſpective grantees, and every of them, and their reſpective proportions of the ſaid lands, tenements, and hereditaments to them allotted for reprizals, ſhall not be liable to any more of the ſaid debts or payments, than by the ſaid apportionment ſhall be appointed and directed, which proportion of the ſaid debts or payments is to be inſerted in the certificate, to be granted of the lands liable thereunto, if the perſon or perſons obtaining ſuch certificate, ſhall deſire the ſame; any thing in this or the ſaid act of repeal to the contrary notwithſtanding.

And be it further enacted, by the authority aforeſaid, that all letters patents hereafter to be granted of any offices or lands whatſoever, ſhall contain in the ſame letters patents, a clauſe requiring and compelling the ſaid patentees to cauſe the ſaid letters patents to be enrolled in the chancery of Ireland, within a time therein to be limited; and all letters patents wherein ſuch clauſe ſhall be omitted, are hereby declared to be utterly void and of none effect. Provided always, that your ſacred majeſty at any time before the 1ſt day of November next, by letters patents under the broad ſeal of England, if reſiding there, or by letters patents under the great ſeal of Ireland, during your majeſties' abode here, ſhall grant your gracious pardon or pardons to any one or more of the perſons herein before mentioned or intended to be attainted, who ſhall return to their duty and loyalty; that then and in ſuch caſe, ſuch perſon and perſons ſo pardoned, ſhall be and is hereby excepted out of this preſent act, as if they had never been therein named, or thereby intended to be attainted, and ſhall be and are hereby acquitted and diſcharged from all attainders, penalties, and forfeitures created or inflicted by this act or the ſaid act of repeal, excepting ſuch ſhare of proportion of their real perſonal eſtate, as your majeſty ſhall think fit to except or reſerve from them, any thing in this preſent act, or in the ſaid act of repeal, contained to the contrary notwithſtanding. Provided always, that every ſuch pardon and pardons be purſuant to a warrant under your majeſtie's privy ſignal and ſign manual, and that no one letters patents of pardon ſhall contain above one perſon, and that all and every ſuch letters patents of pardon and pardons, ſhall be enrolled in the Rolls Office of your majeſtie's High Court of Chancery in this kingdom, at or before the laſt day of the ſaid month of November; or, in default thereof, to be abſolutely void and of none effect, any thing herein

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contained to the contrary notwithſtanding. Provided likewiſe, that if any perſon or perſons ſo pardoned ſhall at any time hereafter the date of the ſaid pardon, join with, or aid or aſſiſt any of your majeſties enemies, or with any rebels in any of your majeſties dominions, and be thereof convict or attainted by any due courſe of law, that then and in ſuch caſe they ſhall forfeit all the benefit and advantage of ſuch pardon, and ſhall be again ſubject and liable to all the penalties and forfeitures inflicted on them and every of them, by this or the ſaid act of repeal, as if ſuch pardon or pardons had never been granted. Provided always, that nothing in this act contained ſhall extend, or be conſtrued to extend to or veſt in your majeſty any lands, tenements or hereditaments, or other intereſt of any ancient proprietor, who by the ſaid act of repeal is to be reſtored to his ancient eſtate, but that all ſuch perſon and perſons, and all their right, title and intereſt, are and ſhall be ſaved and preſerved according to the true intent and meaning of the ſaid act, any thing in theſe preſents to the contrary notwithſtanding.

(Copia vera.)

RICHARD DARLING,
Cleric. in Offic. Nri. Rot.

No. XLVII.

An Act for Repealing the Acts of Settlement and Explanation, Reſolution of Doubts, and all Grants, Patents and Certificates purſuant to them, or any of them. (*P.* 189.)

WHEREAS the Roman Catholick ſubjects of this kingdom have for ſeveral years, to the apparent hazard of their lives and eſtates under the royal authority, defended this kingdom, until at laſt they were overpowred by the uſurper Oliver Cromwell; in which quarrel many of them loſt their lives, and divers of them (rather than take any conditions from the ſaid uſurper) did tranſport themſelves into foreign parts, where they faithfully ſerved under his late majeſty, and his preſent majeſty, until his late majeſty was reſtored to the crown. And whereas the ſaid uſurper hath ſeized and ſequeſtered all the lands, tenements, and hereditaments of the ſaid Roman Catholicks within this kingdom, upon the account of their religion and loyalty, and diſpoſed of the

ſame among his officers and ſoldiers, and others his adherents; and though his majeſties ſaid Roman Catholicks ſubjects, not only upon the account of the peace made by his late majeſty in the year 1648, but alſo for their eminent loyalty and firm adherence to the royal cauſe, might have juſtly expected to partake of his late majeſties favour and bounty upon his happy reſtauration, which was then extended even to many notorious rebels in other his countries and dominions, which would make amends for the oppreſſions and injuſtice they lay under for many years in the time of the ſaid uſurper; yet ſuch were the contrivances ſet on foot to deſtroy his majeſty and Catholick ſubjects of this realm, that two acts of parliament paſſed here, the one entituled, " An act for the better execution of his majeſtie's gracious declaration " for the ſettlement of his kingdom of Ireland, and ſatisfaction of the ſeveral " intereſts of adventurers, ſoldiers, and other his ſubjects there." The other act entituled, " An act for explaining of ſome doubts ariſing upon an act en- " tituled, an act for the better execution of his majeſties gracious declaration " for the ſettlement of his kingdom of Ireland, and ſatisfaction of the ſeveral " intereſts of adventurers, ſoldiers, and other his ſubjects there; and for " making ſome alterations of, and additions unto the ſaid act for the more " ſpeedy and effectual ſettlement of the kingdom, by which many of the ſaid " Catholick ſubjects were ouſted of their ancient inheritances, without being " ſo much as heard, and the ſame were diſtributed among Cromwel's ſoldiers, " and others, who in juſtice could not have the leaſt pretenſion to the ſame, " contrary to the ſaid peace made in the year 1648, and contrary to juſtice " and natural equity." And whereas it is now high time to put an end to the unſpeakable ſufferings of the ſaid Roman Catholicks, natives of this realm, (who have eminently manifeſted their loyalty to his majeſty againſt the uſurper the Prince of Orange) and to remove the unparallel'd grievances brought upon them under colour of the ſaid two ſtatutes, which cannot be otherwiſe redreſſed, than by repealing the ſaid acts, and reſtoring the former proprietors to their ancient right, the compaſſing whereof is much facilitated by his majeſties royal condeſcention to apply towards the ſatisfaction and reprizals of honeſt purchaſers under the ſaid acts, a great part of the lands and tenements forfeited to him by the late rebellion and treaſon committed by eſtated perſons within this kingdom, who contrary to their duty and allegiance joined with the Prince of Orange. Be it therefore enacted by your moſt excellent majeſty, with the conſent of the lords ſpiritual and temporal, and the commons

commons in this preſent parliament aſſembled, and by the authority aforeſaid; and it is accordingly enacted by authority of the ſame, That the ſaid two ſeveral acts herein before mentioned, commonly called the acts of ſettlement and explanation, and the acts of ſtate, or act of council, commonly call'd, the reſolution of doubts by the lord lieutenant and council upon the acts of ſettlement and explanation thereof, and all and every clauſe, proviſo, article and ſentence in them, and every of them contained, and all and every grant, patent and certificate paſſed by vertue of, or under colour or pretence of the ſaid acts and reſolutions, or any or either of them (except what is herein after preſerved, or mentioned to be preſerved, be and are hereby abſolutely repealed, annulled and made void to all intents, conſtructions and purpoſes whatſoever, as if the ſame had never been made or paſſed, notwithſtanding any miſ-recital of the title to them or either of them, or of the exact time when the ſaid acts, or either of them, were made or paſſed.

And be it further enacted, That all manner of perſons who were any way entituled to any lands, tenements or hereditaments, or whoſe anceſtors were any way ſeized, poſſeſſed of, or entituled to any lands, tenements or hereditaments, in uſe, poſſeſſion, reverſion or remainder in this kingdom of Ireland, on the 22d day of October 1641, their heirs or aſſigns, and every perſon lawfully claiming by, from, or under them and his and their feoffees and truſtees, to and for their uſe or uſes, or in truſt for them or any of them, and who were barred, excluded, hindered or prejudiced by the ſaid acts, reſolutions, grants, patents and certificates, ſhall and may have and take ſuch and the like remedy by action, or otherwiſe, for reveſting or recovering the ſame, as they, or any, or either of them now might, could, or ought to have had or taken, in caſe the ſaid acts, reſolutions, or any grant, patent, or certificate had never been made or paſſed, any clauſe, proviſoe, article, ſentence, or reſtriction in the ſaid acts, reſolutions, grants, patents or certificates, and any limitation of time, deſcent, caſt, common recovery, judgment or non-claim upon any fine or fines, or upon any other matter or thing where an entry or claim could or would have aided him or them, or any of his or their anceſtors, feoffees and truſtees, in any wiſe notwithſtanding. And be it further enacted by the authority aforeſaid, that all attainders and outlawries for treaſon, or any other offence, and alſo all treaſons and other offences whatſoever upon account or pretence of the rebellion mentioned or expreſſed to have begun or ariſen in this kingdom on the 23d day of October, 1641, and

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alſo all penalties, pains, forfeitures, bars and diſabilities accrewed, or ſuppoſed to be accrewed thereby, or by any means or ways touching or relating thereto, or any way upon account or pretence thereof, be and are hereby made void, releaſed and diſcharged to all intents and purpoſes whatſoever. And be it further enacted by the authority aforeſaid, that every officer and officers, who have the cuſtody or keeping of the ſaid attainders or outlawries, or of any of them, or of any the proceſs, entries and proceedings thereof, and of all or any the books of crimination and examinations relating thereunto, ſhall, as ſoon as conveniently may be, take the ſame off the files, and from the reſpective offices where the ſame do now remain, and cancel the ſame before or in the preſence of all or any the commiſſioners of reſtitution herein mentioned; and any officer failing to do the ſame, ſhall forfeit his office, and alſo the ſum of 500*l.* ſterling, the moyety of the ſaid 500*l.* to be to your majeſty, and the other moyety to any perſon who ſhall ſue for the ſame by action of debt, bill, plaint or information in any of your majeſties courts of common law, in which action no eſſoin, protection, or wager of law ſhall be allowed. And to the end that every perſon and perſons, and their heirs, executors, adminiſtrators and aſſigns, who hitherto were barred, hindered or delayed from recovering or enjoying his or their juſt rights, titles, or poſſeſſions by any of the matters aforeſaid, may with all convenient ſpeed be put into and be eſtabliſhed in his and their rights, titles and poſſeſſions.

Be it further enacted by the authority aforeſaid, that ſuch three or more perſons, as by your majeſty, your heirs or ſucceſſors, by commiſſion under the great ſeal of Ireland, ſhall be to that purpoſe appointed from time to time, ſhall be commiſſioners to hear and determine the claims and title by Engliſh bill of ſuch perſon or perſons, their heirs, executors, adminiſtrators and aſſigns, who are or ought to be reſtorable or entituled unto any lands, tenements or hereditaments, by reaſon of the repealing or making void of the ſaid ſeveral acts and reſolutions of doubts, grants, letters patents, certificates, or any other matter or thing herein before mentioned to be made void, repealed, releaſed, or diſcharged. And further, that the ſaid commiſſioners, or any three, or more of them, ſhall appoint certain times and places from time to time for their ſitting, hearing and determining the rights, titles and claims aforeſaid, and ſhall iſſue ſummons to the tenents and poſſeſſors of the lands claimed before them, and for witneſſes, and upon appearance, or in default of appearance, then to proceed and examin the right and title of the

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ſaid claimant or claimants upon oath, which oath they have hereby power to adminiſter, and to take affidavit in court or out of court, and thereupon ſhall have power to adward injunctions for putting into poſſeſſion ſuch perſon or perſons as ſhall appear unto them to be reſtorable unto, or who ought to be put into poſſeſſion of any lands, tenements or hereditaments by vertue of this act, and all injunctions and prohibitions to be granted to ſtop or delay the proceedings of the ſaid commiſſioners ſhall be void and of none effect. But all ſheriffs and coroners, to whom any injunction or injunctions for poſſeſſions ſhall be directed, are hereby required and authorized at their peril to execute the ſame. And the ſaid commiſſioners are hereby authorized to puniſh all neglects and contempts of ſheriffs, officers, or any other perſon or perſons. And foraſmuch as by reaſon of the ſeveral oppreſſions, diſtractions and confuſions herein before mentioned, and of the length of time ſince the ancient proprietors have been diſpoſſeſſed, as aforeſaid, the deeds, evidences, and writings of the perſons reſtorable by this act, may be either loſt or miſlayed, ſo that the ſame may not ſpeedily, or perhaps not at all be had, in order to make out his or their titles before the commiſſioners aforeſaid. Be it therefore enacted, that the judgment, decree, or ſentence of the ſaid commiſſioners, or of any of them, ſhall not be final or definitive; but the perſon or perſons, and his or their heirs, executors, adminiſtrators and aſſigns, who is or ſhall be reſtorable by virtue of this act, ſhall and may at his own will and pleaſure, uſe and have his action and remedy in any of his majeſties courts of law or equity for recovery of his and their rights, titles and poſſeſſions, without reſorting to the ſaid commiſſioners; or if he be not able to make out his title before them. Provided always, and be it hereby enacted and declared by the authority aforeſaid, that this act or any thing herein contained, ſhall not extend, nor be deemed or conſtrued to extend, to annul or make void any releaſe, confirmation, conveyance, fine, recovery, or agreement, made, done, ſuffered or perfected by any perſon or perſons, or their anceſtor or anceſtors, who otherwiſe would have been reſtorable by virtue of this act; but that ſuch releaſe, confirmation, conveyance, fine, recovery or agreement, ſhall be of ſuch like force and effect as they would have been, if this act had never been made. And be it further enacted by the authority aforeſaid, that where any perſon or perſons, who have been tranſplanted into the province of Connaught, or county of Clare, or his or their heirs or aſſigns, has ſold or conveyed away the lands or tenements there ſet out, unto him in lieu of his ancient eſtate;

and

and he or his heirs ſhall notwithſtanding ſuch ſale of his tranſplanted intereſt be reſtored to his ancient eſtate, or hath releaſed his right thereto, the ſaid tranſplanted intereſt be likewiſe reſtored to the perſon or perſons who was or were intituled thereto the 22d day of October, 1641, or to his or their heirs or aſſigns, that then the ancient eſtate which ſhall be ſo enjoyed by, or reſtored to the perſon or perſons who ſold the ſaid tranſplanted intereſt, or to his or their heirs, or to any one claiming by or under him, or his anceſtors, or to whom he or they releaſed the ſame. And likewiſe ſuch other eſtate as the ſaid tranſplanted perſon hath or had, or which came from him by deſcent in fee to his heir or heirs, ſhall be, and is hereby made lyable unto, and charged with the lawful yearly intereſt of the purchaſe money, which was paid to the ſaid old proprietor for the ſaid tranſplanted intereſt by the perſon or perſons who bought the ſame, the ſaid yearly intereſt to be paid to your majeſty, your heirs and ſucceſſors after the expiration of twenty-one days next after the feaſt of Philip and Jacob, and All Saints, yearly, by even and equal portions every year, until the original purchaſe-money be paid unto your majeſty, your heirs and ſucceſſors in one entire payment; and the ſaid purchaſer of the ſaid tranſplanted eſtate to be reprized in ſuch manner as herein after to that purpoſe is expreſſed, and the ſaid purchaſe-money to be part of the ſtock of reprizals. And whereas by the reſtitution of the perſons hereby intended to be reſtored to their ſaid ancient eſtates and proprieties, which belonged to them, or to their anceſtors, or thoſe under whom they claim on the 22d day of October, 1641, divers perſons who were ſtrangers to the ſeveral perſons to whom ſome of the ſaid lands, tenements and hereditaments were diſtributed, came into the poſſeſſion of the ſaid lands, tenements and hereditaments by or under purchaſes or conveyances after the ſaid act of ſettlement paſt, or before the firſt day of November laſt for good and valuable conſideration, and not in conſideration of blood, affinity, or marriage, by or from the perſon or perſons, to whom the ſame have been granted or diſtributed, purſuant unto, or under colour of the ſaid ſeveral acts of parliament, and reſolution of doubts, or of ſome or one of them, and whereof certificate or patent hath been paſſed ſince the ſaid firſt act of ſettlement: And likewiſe ſuch perſon and perſons, whoſe anceſtors, or themſelves, or thoſe under whom they claim, purchaſed the eſtates ſet forth to tranſplanted perſons in the province of Connaught and county of Clare, muſt be removed and diſplaced from their ſaid poſſeſſions and pretended eſtates, and leave the ſame to the juſt owners and

proprietors

proprietors thereof, who are to be reſtored thereto by vertue of this act; the ſaid perſons ſo to be removed, are hereby intended to be reprized for ſuch their purchaſes in manner as herein afterwards is expreſſed. And whereas an horrid and unnatural rebellion was lately raiſed, and ſtill is continued in this kingdom, and in other your majeſties dominions, by great numbers of your majeſty's ſubjects, and more eſpecially by divers of the perſons and their heirs, who had and enjoyed a great part of the lands and tenements which formerly belonged to your majeſty, and your royal fathers and brothers catholick ſubjects, and were given out or diſtributed by the late uſurped powers, as a reward for their former rebellion and treaſon herein firſt mentioned, which ſaid rebels not being content therewith, but again endeavouring by the like rebellion and treaſon to draw in foreign forces, and to continue a ſucceſſion of uſurpation againſt your majeſty, and over your moſt loyal catholick ſubjects of this kingdom, in hopes thereby to gain the reſt of the lands, as they had obtained a great part of it before, and totally to deprive your royal majeſty, and your heirs and ſucceſſors thereof, and of the crown and dignity, divers of the ſaid rebels went into England, Scotland, Wales, Holland, and the Iſles of Man, and other places beyond the ſeas, to invite and procure your moſt unnatural enemy the Prince of Orange, and your rebellious ſubjects there, to ſend over forces into this kingdom, while the reſt of the ſaid rebels, in great multitudes arrayed themſelves in a rebellious number, and ſeized ſeveral of your majeſties forts, garriſons and magazines here for the Prince of Orange, and the ſaid confederate rebels, whereby this your majeſties kingdom was in great danger to be loſt; but it pleaſed Almighty God, by the courage and conduct of his Grace Richard Duke of Tyrconnel, your majeſties deputy in this kingdom, with the dutiful aſſiſtance of all your majeſties moſt loyal catholick ſubjects here, unanimouſly joining with the ſaid deputy to preſerve the ſame for your majeſty, and to break and defeat the meaſures and machinations of a great part of the ſaid rebels and traytors. And foraſmuch as for the treaſons and rebellions aforeſaid, the ſaid rebels and traytors have juſtly forfeited not only their eſtates, lands and livings, but their lives alſo; Be it therefore further enacted by your moſt excellent majeſty, by the advice and conſent aforeſaid, that all and every the mannors, lands, tenements and hereditaments, uſe, truſt, poſſeſſion, reverſion and remainder, power of redemption, and all and every eſtate and intereſt whatſoever in law or equity within this kingdom, which on the firſt

day of Auguſt, 1688, or at any time ſince belonged or appertained to any perſon or perſons whatſoever, who on the ſaid firſt day of Auguſt, 1688, or at any time ſince was in rebellion or in arms againſt your moſt ſacred majeſty, either in this kingdom, or in the kingdom of England or Scotland, or who correſponded or kept intelligence with, or went contrary to their allegiance to dwell or ſtay among the ſaid rebels, or any of them, or who was or were any way aiding, abetting or aſſiſting to them or any of them, be and are hereby forfeited unto, and veſted in your majeſty, and ſhall be deemed and adjudged to have been forfeited unto, and veſted in your majeſty, as from the firſt day of Auguſt, 1688, without any office or inquiſition thereof found, or to be found, freed and abſolutely diſcharged of, and from all eſtates tayl, and of all remainders and reverſions, to the intent and purpoſe that the ſame may be ſettled, diſpoſed and granted, and confirmed in ſuch manner as hereafter is expreſſed, (that is to ſay) that every reprizable perſon and perſons, his heirs, executors and adminiſtrators, who ſhall be removed from any of the lands, tenements and hereditaments, which are hereby to be reſtored to the ancient proprietor thereof, as herein before is expreſſed, ſhall be reprized, and have other lands, tenements and hereditaments of equal value, worth and purchaſe, ſet out and granted unto him out of the ſaid forfeited lands, hereby veſted in your majeſty for ſuch eſtate or eſtates, as the lands from which he or they ſhall be ſo removed, were held by him at the paſſing of this act; and for the more ſpeedy and effectual granting of the ſaid reprizals, be it further enacted, that if it ſhall be thought fit or neceſſary, there ſhall iſſue commiſſions under the great ſeal of this kingdom, to ſuch commiſſioners as ſhall be named by the lord chancellor and lord keeper of the great ſeal of Ireland, within every of the cities, towns, and counties of this kingdom, to enquire and aſſertain what lands, tenements and hereditaments any of the rebels aforeſaid were ſeized or poſſeſſed of, or entituled unto on the ſaid firſt day of Auguſt, 1688, or at any time ſince, and the true and real yearly value thereof, and to make return thereof into his Majeſties High Court of Chancery with all convenient ſpeed. And be it further enacted by the authority aforeſaid, that ſuch three or more perſons as your majeſty, your heirs and ſucceſſors, by commiſſion under the great ſeal of Ireland, ſhall from time to time to this purpoſe appoint, ſhall be commiſſioners for ſetting forth, allotting and diſtributing the ſaid reprizals; which ſaid commiſſioners, or any three or more of them are hereby authorized and empowered to receive the petitions and claims of ſuch perſon or perſons who

who ſhall demand ſuch reprizals, in which ſaid petition and claim is to be contained the quantity, quality, and the true yearly value of the lands, tenements and hereditaments, from which ſuch petitioner or claimant was removed, and the eſtate and title he had therein, and the quit-rents thereout payable, and the ſaid commiſſioners, or any three or more of them to examine the truth thereof by witneſſes upon oath, and ſuch other evidences as ſhall be produced unto them; and upon due examination thereof, if they find that ſuch petitioner or claimant, or thoſe, under whom he claimed was a purchaſer, by purchaſe made after paſſing the firſt act of ſettlement, and for good and valuable conſideration, before the firſt of November laſt, and not for or in conſideration of blood, affinity or marriage, from, by, or under the perſon or perſons, to whom the eſtate ſo claimed was granted or diſtributed, and whereof a certificate or patent was paſſed ſince the ſaid firſt act, as aforeſaid, or that the ſaid petitioner or claimant, or thoſe under whom he claims, was or is a purchaſer for valuable conſideration of any tranſplanted intereſt in the province of Connaught, or county of Clare, then to ſet forth unto ſuch petitioner or claimant, other lands, tenements or hereditaments of equal value, worth and purchaſe, and for the like eſtate as the ſaid petitioner or claimant had in the lands, tenements or hereditaments from which he was, or ſhall be removed as aforeſaid. And the ſaid commiſſioners, or any three or more of them, are hereby required and authorized to grant their certificates under their hands and ſeals to the ſaid petitioner or claimant, expreſſing the denominations, quantity and quality, and number of acres of the ſaid lands ſo allotted, and the barony and county wherein the ſame do lie, and the eſtate thereof to be granted, and the rent thereout to be reſerved; upon producing of which certificate, the lord chancellor or lord keeper of the great ſeal of Ireland is hereby authorized and impowred, without any further warrant, to cauſe effectual letters patents to be made and paſſed to the ſaid claimant of the lands ſo certified, to be allotted unto him, and under the rents, and for ſuch eſtate and eſtates as in the ſaid certificate ſhall be to that purpoſe expreſſed: Provided always and be it further enacted by the authority aforeſaid, that ſuch perſon or perſons as ſhall claim or demand any reprizals for any tranſplanted eſtate or intereſt, ſhall before he or they have any reprizal or reprizals for the ſame allotted or ſet out to them, make full and true diſcovery and proof of the whole original purchaſe-money, which was paid for the ſaid tranſplanted eſtate by the firſt purchaſer thereof to the perſon or perſons, or his heirs, to whom the ſaid eſtate

was originally ſet forth or allotted by way of tranſplantation; and the ſaid commiſſioners, upon due examination and proof of the ſaid purchaſe-money, are to certifie the quality thereof, and the eſtate of the ancient proprietor, which is to ſtand charged with the yearly intereſt thereof into your majeſties court of exchequer, to the end that the ſame may be levied as it ſhall grow due from time to time, until the original purchaſe-money be paid in one entire payment to your majeſty, your heirs and ſucceſſors, the ſaid principal and intereſt to be paid towards reprizals, as aforeſaid. And be it further enacted, that in caſe at any time hereafter it ſhall be diſcovered, that any perſon or perſons ſo claiming reprizals for any ſuch tranſplanted intereſt, hath not diſcovered the full purchaſe-money firſt paid for the ſaid tranſplanted eſtate, but hath concealed any part thereof, then and in ſuch caſe the perſon or perſons who hath ſo concealed any part of the ſaid purchaſe-money, ſhall forfeit double the ſum concealed or not diſcovered, the one moyety of ſuch forfeiture ſhall be to your majeſty, your heirs and ſucceſſors, and the other moyety to ſuch perſon or perſons as ſhall ſue for the ſame by bill, plaint or information, wherein no eſſoyn, protection, or wager of law ſhall be allowed. Provided alſo, and be it further enacted, that neither this act, nor any thing therein contained, ſhall be deemed or conſtrued to veſt in your majeſty, your heirs or ſucceſſors, any the lands, tenements, hereditaments or chattels, real right, title, ſervice, chiefry, uſe, truſt, condition, fee-rent, charge, mortgage, right of redemption of mortgage, recognizance, judgment, extent, right of action, right of entry, ſtatute, or any other eſtate of what nature or kind ſoever, which are hereby reſtorable, according to the true intent and meaning of this act to any ancient proprietor, or his heirs or aſſigns, and the which have been veſted or mentioned, or ſuppoſed to have been veſted in your majeſties ſaid royal father and brother, or either of them, by vertue of both, or either of the ſaid acts of ſettlement, and explanatory acts, or reſolution of doubts, or by vertue of any of the ſaid attainders or outlawries, which are herein before repealed and made void, or mentioned to be repealed or made void; but that all and every perſon and perſons, whoſe titles, or whoſe anceſtors titles were hitherto thereby barred, forfeited, or any way prejudiced or interrupted, ſhall and may be reſtored thereunto, according to their ancient rights and title, as herein before to that purpoſe is expreſſed or intended. Provided always, and be it further enacted by the authority aforeſaid, that nothing in this preſent act contained ſhall any way extend or be conſtrued to extend

extend to forfeit to, or veſt in your majeſty, your heirs or ſucceſſors, any remainder or remainders, reverſion or reverſions, for valuable conſideration, limited or ſetled by any ſettlement or conveyance made for ſuch valuable conſideration, either of marriage, or marriage-portion, or other valuable conſideration whatſoever upon any eſtate, for life or lives, to any perſon or perſons, who have not, nor ſhall not aid, abett or aſſiſt any perſon or perſons in the uſurpation or rebellion aforeſaid, ſuch remainder or remainders, reverſion or reverſions as are limited by any conveyance, wherein there is no power for revoking or altering all or any uſe or uſes therein limited: And alſo ſuch remainder and remainders, reverſion and reverſions as are limited upon any ſettlement or conveyance of any lands, tenements and hereditaments, commonly called plantation lands, and all lands, tenements and hereditaments held or enjoyed under ſuch grants from the crown, or grant upon the commiſſion or commiſſions of grace for remedy of defective titles, either in the reign of King James I. or King Charles I. in which ſeveral grants reſpectively, there are proviſo's or covenants for raiſing and keeping any number of men and arms for the king's majeſty againſt rebels or enemies, or for raiſing of men for his majeſty's ſervice for expedition of war always excepted and foreprized; all which remainders and reverſions, limited by ſuch conveyance, wherein there is a power of revocation for ſo much of the lands, uſes and eſtates therein limited, as the ſaid power doth or ſhall extend unto, and all ſuch remainders as are derived or limited of plantation lands, or other lands held as aforeſaid under ſuch grants made by the crown, ſhall by authority of this preſent parliament be deemed, conſtrued, and adjudged void, debarred and diſcharged to all intents and purpoſes whatſoever againſt his majeſty, his heirs and ſucceſſors, and his or their grantees or aſſigns; and the ſaid lands, tenements and hereditaments belonging to ſuch rebels as aforeſaid, ſhall be veſted in his majeſty, his heirs and ſucceſſors, freed and diſcharged of the ſaid remainder and remainders, and every of them; and to the end the reverſions and remainders ſaved and prēſerved by this act may appear with all convenient ſpeed, Be it enacted by the authority aforeſaid, that the reſpective perſons entituled to ſuch remainders, do within ſixty days next after the firſt ſitting of the commiſſioners for executing this act, exhibit their claims before the ſaid commiſſioners, and make out their title to ſuch remainder or remainders, ſo as to procure their adjudication, and certificate for the ſame, or the adjudication and certificate of ſome three or more of them. And further, that all remainders, for which ſuch adjudication and certificate ſhall not be procured

cured at, or before one hundred and twenty days after the firſt ſitting of the ſaid commiſſioners, ſhall be void, and be for ever barred and excluded, any thing in this act or other matter to the contrary in any wiſe notwithſtanding; nor ſhall this act extend to veſt in your majeſty, or bar any remainders limited to Dudley Bagnel, Eſq. upon the particular eſtate of Nicholas Bagnell of Newry, Eſq. in Newry, the lordſhip and lands of Mourne, and all other manors and lands now, or lately belonging to the ſaid Nicholas Bagnell in the kingdom of Ireland; provided the ſame be ſuch a remainder as was not, or is not in the power of the ſaid Nicholas Bagnell to bar. And foraſmuch as we, your majeſties moſt loyal and dutiful ſubjects, always have been, and for ever intend to be more ſtudious and induſtrious to ſecure and advance your majeſties revenue, than to leſſen or diminiſh the ſame: And whereas the quit-rents or king's rents reſerved or now payable unto your majeſty, your heirs and ſucceſſors, would determine by repealing the ſaid acts, if ſome proviſion were not made to continue the ſame; Be it enacted by the authority aforeſaid, that all lands and tenements, which by the ſaid acts of ſettlement and explanation, were charged with, or made liable to quit-rents, ſhall be and hereby are charged with, and made liable to the ſame, or the like quit-rents, to be paid to your majeſty, your heirs and ſucceſſors, as in and by the ſaid acts of ſettlement and explanation were appointed and directed, ſaving and reſerving and excepting the quit-rents due and payable, and due out of the Earl of Antrim's eſtate, which were granted to the late Earl of St. Albans, and ſaving and excepting all ſuch lands and tenements, whereof the quit-rents have been by letters patents under the broad ſeal of England or Ireland, granted or releaſed to the ancient proprietor or proprietors thereof, or to ſome perſon or perſons in truſt for them, or reduced into the hands of the ancient or new proprietor, ſince the acts of ſettlement and explanation, by reaſon of barren or unprofitable ground, whether ſuch reducement was by patent under the broad ſeal, or certificate or other order of commiſſioners, having power to reduce the ſame; which lands and tenements are for the future to be charged only with ſuch quit-rents or crown-rents as are by ſuch letters patents, certificates, and orders reſpectively reſerved and ſpecified. And further, that all lands which immediately before the paſſing of this preſent act were not liable to any quit-rents, and ſhall be by or purſuant to the preſent act reſtored to the ancient proprietor thereof; and likewiſe all lands within this kingdom, which being veſted in your majeſty by this preſent act, or by or upon account of the preſent

ſent rebellion, or of any treaſon committed by any perſon ſince the firſt day of Auguſt laſt, ſhall be diſtributed or given out for reprizals by the commiſſioners for executing this act, or otherwiſe granted by your majeſty, your heirs and ſucceſſors, to any perſon or perſons, bodies politique or corporate, ſhall be and are hereby charged with and made liable to the ſame, or the like quit-rents to be paid to your majeſty, your heirs and ſucceſſors, as in and by the ſaid acts of ſettlement and explanation, were appointed or directed to be paid out of any other lands in the reſpective provinces where ſuch lands do reſpectively lie; ſo that the rent formerly reſerved to the crown, or ſuch lands, exceed not the rent hereby reſerved; but where the rents formerly reſerved do exceed the rent hereby to be reſerved, the ſaid former rents only ſhall be paid. And be it further enacted by the auhority aforeſaid, that all arrears of the ſaid quit-rents reſerved by the ſaid former acts, which were due to your majeſty on the firſt day of May, 1689, ſhall be anſwered and duly paid to your majeſty, and that your majeſty ſhall and may recover and levy the ſame in ſuch manner, and by all ſuch ways and means as you might have done, if this preſent act had never been made, any thing in this act contained to the contrary notwithſtanding. And in regard the meſne profits of the ſaid ancient eſtates, which are hereby reſtorable, are to be diſcharged, as hereafter expreſſed, be it further enacted by the authority aforeſaid, that all intereſts of money for any debt or debts contracted before the 23d of October, 1641, and wherewith the eſtate of any perſon reſtorable by this act may be chargeable, be and are hereby diſcharged and releaſed for ſuch time as the perſon or perſons, who ſhould have paid the ſaid debts, were barred and kept out of their eſtates by the ſaid acts of rebellion; but the original debts are not to be diſcharged by this act. And be it further enacted by the authority aforeſaid, that no perſons reſtorable by vertue of this act ſhall ſue for, or recover any meſne profits of the eſtate ſo reſtorable, but only for ſuch meſne profits as ſhall accrew or grow due after his demanding poſſeſſion, or commencing ſince for the lands ſo reſtorable after the paſſing of this act. And be it further enacted by the authority aforeſaid, that the eſtate or eſtates to be ſet out or allotted to any perſon or perſons by way of fore-prizals by vertue of this act, or any other eſtate which he or his heirs ſhall have, ſhall be lyable and ſubject to all ſuch judgments, ſtatutes and recognizances for payment of money, rent-charges, annuities, mortgages, dowers, and all other eſtates, uſes, truſts, limitations, ſettlements, charges and incumbrances of the perſons ſo reprized or removed, in ſuch manner as the eſtate

from

from which he ſhall be ſo removed, would be lyable in caſe he never were removed from the ſame; but in caſe any perſon hereby removable to make room for an old proprietor, be a forfeiting perſon, or is not intituled to have reprizal, then in ſuch caſe it is hereby declared and enacted, that all and every perſon and perſons, who before the 7th day of May, 1689, had any ſuch incumbrances as before is expreſſed, or any judgment at any time before the 22d day of May, 1689, on the ſaid eſtate hereby reſtorable to the old proprietor, ſhall and may have reprizals for the ſame out of the common ſtock of reprizals, at the rate of ten years purchaſe: Provided always, that ſuch incumbrances, or the reprizals to be had or allotted for the ſame, ſhall not exceed the value of the eſtate which was lyable thereunto, and which is reſtorable to the old proprietor thereof, or to his heirs or aſſigns. And be it further hereby enacted, that where any old proprietor, or his heirs, who had or held any new eſtate by tranſplantation, or otherwiſe, by or under the ſaid acts hereby repealed, or any of them, ſhall by virtue of this preſent act be removed from the ſame, that then, and in ſuch caſe, the ancient eſtate of ſuch old proprietor, or his heirs, ſhall be reſtored. And likewiſe all ſuch other eſtate which ſuch ancient proprietor, or his heirs by deſcent in fee under him, ſhall have, ſhall be, and is hereby made aſſets for the anceſtors debts, and lyable to make ſatisfaction for all ſuch judgments, recognizances, and ſtatutes for payment of money, and alſo for all rent-charge, annuities, mortgages, and all other eſtates, uſes, truſts, limitations and ſettlements, charges and incumbrances of the ſaid old proprietor and his heirs, in ſuch manner as the ſaid new eſtate from which he or they ſhall be ſo removed would have been lyable in caſe he or they were never removed from the ſame, except the leaſes made by ſuch perſons who are to be reſtored to the lands they or any of them were ſeized or poſſeſſed of. And furthermore, for the prevention of the great inconveniencies, which may happen by the ſudden removal of the leſſees, farmers or under-tenants, from the lands, tenements or hereditaments whereof they are now in actual poſſeſſion, and which are hereby to be reſtored to the ancient proprietors thereof, their heirs or aſſigns; Be it further enacted by the authority aforeſaid, that all ſuch leaſes in writing, of the lands, tenements and hereditaments hereby reſtorable, and which were made before the firſt day of May, 1688, meerly in conſideration of rents, duties, or other valuable yearly reſervations, and not in conſideration of any fine or incumbrance, or of blood or affinity, and by virtue whereof the lands, tenements and hereditaments thereby

thereby demiſed, are at this time enjoyed and held by the preſent terr-tenants and occupiers thereof, be, and are hereby made good and confirmed by the ſaid terr-tenants and occupiers, for and during ſo much of the term or time in ſuch leaſe or leaſes limited and expreſſed, as ſhall not exceed the number of twenty-one years, or three lives yet to come and unexpired, and for all the lands, tenements and hereditaments thereby demiſed, except that meſſuage or tenement which in the year, 1641, was the manſion houſe of the old proprietor, or his aſſigns; and except alſo the demeſne thereunto belonging (that is to ſay) the town and lands whereon the ſaid manſion-houſe then ſtood; and the ſaid tenant and leſſee, and his executors, adminiſtrators and aſſigns for the lands, tenements and hereditaments ſo by them to be held and detained by virtue of ſuch leaſe or leaſes, are to pay the yearly rent and duties thereout reſerved, or their juſt proportion thereof, to the ſaid the ancient proprietor hereby reſtorable, and to his heirs and aſſigns, and to give him or them copies or counterparts of the ſaid leaſe or leaſes, and their own obligations for performance thereof, or otherwiſe to accept of a new leaſe for the lands, tenements and hereditaments ſo to be enjoyed, and under the like rent proportionably, and for ſuch time or term as ſhall be then unexpired of the ſaid former demiſe; And whereas in ſome caſes the leaſe or leaſes which ſuch leſſee or leſſees had, might have been very beneficial leaſes for a great term, and originally made in conſideration of fines by them given to their leſſors for the ſame, or in reſpect of improvements; and as it is unequitable on the one ſide, that ſuch leſſees ſhould loſe their fines, bargains and improvements, without ſatisfaction for the ſame, ſo it is on the other ſide unreaſonable, that the old proprietor, who hath been hitherto kept out of his eſtate, and is hereby barred from the meſne profits thereof, ſhould be obliged to bear the loſs and damage of leaſes ſo made, at an under rate and low value: Be it therefore enacted by the authority aforeſaid, that the ſaid leſſor, his heirs or aſſigns who is to be reprized for the ſaid lands, ſhall out of the lands which ſhall be to him granted by way of reprizal, make and perfect unto the ſaid leſſee, his executors, adminiſtrators or aſſigns, a leaſe of lands of the like value; and for ſuch term or time of the ſaid former leaſe as will be unexpired at the removal of the ſaid leſſor, and that the ſaid new leaſe ſhall be under the like rents, reſervations, covenants and conditions, as in the ſaid former leaſe were expreſſed; but in caſe the ſaid leſſor be a forfeiting perſon, and not reprizable by this act, then the ſaid leſſee and leſſees ſhall be reprized for their ſaid leaſes out of the common ſtock of reprizals, ac-

cording to the methods herein before ſet forth; but ſuch leaſes in poſſeſſion, and not now in any forfeiting perſon, as were made by your majeſty of the lands held by your majeſty under the title of the ſaid acts, are to ſtand good and effectual at the election of the leſſees, their executors, adminiſtrators or aſſigns, and the rent and reſervation thereof, to devolve and come to the old proprietors thereof, and particularly one leaſe bearing date the firſt day of April, 1675, made by your majeſty unto John Keating, Eſq. for the term of twenty-ſix years, to commence from the firſt day of May then next enſuing the date thereof, of the town and lands of Blackrath in the county of Kildare, under the yearly rent of 81*l.* 15*s.* ſterling, ſhall in like manner ſtand good and effectual, notwithſtanding any ſale made by your majeſty unto him the ſaid John, of the inheritance of the ſaid lands, or any merger of the ſaid leaſe, but the reverſion and rent of the ſaid lands ſo leaſed, is hereby to come to the old proprietor thereof, his heirs and aſſigns. Provided always, and be it enacted by the authority aforeſaid, that all and every perſon and perſons who is, or are at the time of paſſing this act, ſeized or poſſeſſed of any houſes, meſſuages, mannors, lands, tenements and hereditaments, within this kingdom of Ireland, and who are by virtue of this act, or any clauſe therein contained, to be removed from the ſeizin or poſſeſſion thereof, or of any part thereof, ſhall have ſuch reaſonable and competent time given and allowed him or them for the removal of themſelves, their families and ſtocks, as the commiſſioners for execution of this act, or any three of them, ſhall think fit and appoint, not exceeding one year from the firſt day of May, 1689, and the ſame to be under ſuch competent rent, as the ſaid commiſſioners ſhall think fit to be paid to the perſon or perſons, his and their heirs, executors and adminiſtrators, who is, or are by this act reſtorable to the ſaid houſes, meſſuages, mannors, lands, tenements and hereditaments, any thing in this act, or any other matter or thing to the contrary thereof in any wiſe notwithſtanding. Provided alſo, and be it further enacted by the authority aforeſaid, that all and every perſon and perſons who ſow any corn or roots in any lands, tenements and hereditaments, whereof they or any of them, are now at the time of paſſing of this act ſeized or poſſeſſed, ſhall have, perceive, and take the full benefit and advantage thereof, and have free liberty of ingreſs, egreſs and regreſs, for the making up and preſerving, and of carrying away and diſpoſing of the ſaid corn and roots, or any part thereof, as he or they ſhall think fit, he or they paying or allowing for the ſame to ſuch perſon or perſons as ſhall be reſtored

to

to the ſaid lands ſo ſowed with corn and roots, according to the cuſtom of the country. And whereas there are divers poor and diſtreſſed widows and relicts, whoſe deceaſed huſbands, had they been alive, would have been reſtorable by this act, and been thereby enabled to leave ſome maintenance to their ſaid widows and relicts; but in regard their ſaid deceaſed huſbands, by means of the ſeveral acts and other matters herein before expreſſed and repealed, were kept from any ſeizin or poſſeſſion of the eſtates, which ſhould of right be enjoyed by them, and for want of ſuch ſeizin, the ſaid widows and relicts are not by the common law of this land entituled to any dower, and therefore are in danger of periſhing: Be it therefore enacted by the authority aforeſaid, that the want of ſuch ſeizin ſhall be no bar or prejudice to the widows and relicts aforeſaid, but that every widow and relict, whoſe huſband, if living, would or might be reſtorable by this act, ſhall and may have and recover ſuch dower or proportion of her ſaid huſbands eſtate as ſhe might recover by the common law, if her ſaid huſband had a ſeizin in deed or in law thereof, and the commiſſioners for reſtitution herein appointed, or to be appointed, are hereby required to cauſe the ſame to be ſet forth and allotted; or the ſaid widows and relicts may, if they think fit, uſe and have their remedy at common law; and if *ne unque ſeizie qui dower*, or any ſuch plea, ſhall be pleaded againſt any of them, it ſhall be ſufficient for every ſuch widow and relict to give in evidence, that the eſtate which her huſband ſhould have had, was kept out of him by any of the acts or matters herein repealed, was ſuch whereof ſhe might recover dower, in caſe he were actually ſeized, according to the eſtate to him limited; and upon proving thereof, every ſuch widow and relict ſhall recover, as well as if her ſaid huſband had been actually ſeized of the ſaid eſtate; but ſuch widows and relicts as had or enjoyed any jointure to them limited, ſhall only have the benefit of ſuch joyntures. Provided always and be it further enacted by the authority aforeſaid, that all and every the honors, mannors, lands, tenements, remainder and remainders whereof Robert Lord Baron of Kingstowne, now is, or at any time heretofore has been lawfully and rightfully ſeized or poſſeſſed of in his demeſne, as of fee or fee tayl, to or of any eſtate of inheritance in right of his anceſtors (that is to ſay) of John Lord Baron of Kingstowne, or the Lady Katharine his wife, ſituate, lying and being in the counties of Cork and Roſcomon, or elſewhere, within this kingdom, and which hath been ſettled upon, or limited unto the ſaid John Lord Baron of Kingſtowne by his father or grandfather, Sir John and Sir Robert King, or by any of

them, or to the ſaid John Lord Baron of Kingſtowne, and the Lady Katharine his wife, or to either of them, by Sir W. Fenton, Kt. and Dame Margaret his wife, or either of them, and whereof the ſaid Sir John or Sir Robert, or the ſaid Sir W. Fenton were ſeized or poſſeſſed of reſpectively on the 22d of October, 1641, with all the rights, titles or intereſts, which they, or any of them reſpectively had thereunto, be and are hereby veſted and ſettled in his majeſty and his heirs, to be diſpoſed of as his majeſty ſhall think fit, ſubject nevertheleſs to ſuch legal and equitable incumbrance, as the ſame would have been liable unto, in caſe this act had never paſſed; any thing therein contained to the contrary notwithſtanding. Provided always and be it further enacted by the authority aforeſaid, that the capital meſſuage, town and lands of Chappellizard, alias Ized, with all other the appurtenances thereunto belonging, and every part and parcel now at the paſſing of this act, occupied, poſſeſſed and enjoyed as part or parcel thereof, and the capital meſſuage of the Phenix, and all the houſes, meſſuages, lands, tenements and hereditaments within the kings park adjoyning unto, or near this city of Dublin, in as large, free and ample manner as the ſame is now at the paſſing of this act poſſeſſed and enjoyed by his majeſty, or any perſon claiming by, from or under his majeſty, ſhall be and are hereby veſted in the kings majeſty, his heirs and ſucceſſors; and ſhall be held and enjoyed by his majeſty, his heirs and ſucceſſors; any thing in this preſent act, or any other matter or thing whatſoever to the contrary in any wiſe notwithſtanding. And in caſe any ancient proprietor or proprietors thereof, hath, or have not been already ſatisfied for his or their intereſt therein, that then ſuch ancient proprietor or proprietors ſhall be reprized according to his title and intereſt in the ſaid lands out of the forfeited lands, according to the rules of this act: Provided always and be it enacted by the authority aforeſaid, that the lord chief juſtice of his majeſty's court of Kings-Bench, the lord chief baron of his majeſties court of exchequer, and the maſter of the rolls, or any other of his majeſties officers of this kingdom for the time being ſhall and may have and receive ſuch port-corn of the ſeveral rectories which have been formerly paid and received; any thing in this preſent act, or any other matter or thing whatſoever to the contrary in any wiſe notwithſtanding. And whereas in purſuance of an agreement made and concluded between Richard late Earl of Clanrickard and Charles Lord Viſcount Muſkery, and Margaret Vicounteſs Muſkery his wife, heir general of Ulick late Lord Marqueſs of Clanrickard, ſeveral proviſions have been made and enacted in the ſaid acts of ſettlement and explanation for ſetling the eſtate of the family of Clanrickard;

Clanrickard; ſince which time ſeveral deeds, conveyances, ſettlements, proviſions, writings, decree, award and agreements of, and concerning the honour, mannor, lands, tenements and hereditaments belonging to the ſaid family, or whereof William late Earl of Clanrickard was ſeized or poſſeſſed, were made and perfected by the ſaid William late Earl of Clanrickard, or by his children after his deceaſe, or with their conſent, which are not intended to be weakened or avoided by this act; Be it therefore enacted by the authority aforeſaid, that the ſaid ſeveral deeds, conveyances, ſettlements, proviſions, writings, decrees, awards, agreements, according to the ſeveral and reſpective eſtates, uſes, truſts, remainders, limitations and proviſions, therein mentioned, ſhall be and remain firm, valid in law according to the ſaid award lately made between the family of Clanrickard and the limitations and uſes therein ſet forth: and that the ſeveral deeds, conveyances, ſettlements, proviſions, writings, decree and award to the uſes and limitations in the ſaid award be of the ſame force and vertue, and in the ſame plight and condition to all intents and purpoſes, as if this preſent act had never been made againſt the heir general of Ulick, late Lord Marqueſs of Clanrickard, Richard late Earl of Clanrickard, and all perſons claiming by, from or under them, their anceſtors, or any or either of them, any thing in theſe preſents to the contrary notwithſtanding; ſaving the right, title and intereſt of all purchaſers and ſtrangers, their heirs, executors, adminiſtrators and aſſigns. And whereas the right honourable Hellen Counteſs of Clanrickard having heretofore her dower of the eſtate of her deceaſed huſband John Fitz Gerald, Eſq. ſet out unto her, in which dower ſeveral parcels of lands were comprized, that did belong in October, 1641, to old proprietors reſtorable by this act; It is hereby enacted, that the ſaid Counteſs ſhall be reprized out of the other two thirds of the ſaid eſtate late in the ſeizin of Edward Villiers, Eſq. and Katharine his wife, in lands of equal value, worth, and purchaſe, that ſhall be forfeited to his majeſty for and during the life of the ſaid Counteſs, to ſupply what ſhall be *bona fide* evicted from her by any ſuch old proprietors. And whereas by a particular proviſo in the act, commonly entituled, "An act for the better execution of his majeſties gracious "declaration for the ſettlement of this kingdom of Ireland, and ſatisfaction of "the ſeveral intereſts of adventurers, ſoldiers, and other his ſubjects there:" It is amongſt other things enacted, that Theobald late Earl of Carlingford ſhall have, hold, poſſeſs and enjoy, to him and his heirs, all thoſe the lands, mannors, tenements and hereditaments in the county of Louth, whereof the

ſaid

ſaid Theobald late Earl of Carlingford, upon the firſt day of Auguſt in the year 1661, was poſſeſſed or ſet out, aſſigned or granted to the ſaid Theobald by way of Cuſtodium, or otherwiſe, in order to a further ſettlement thereof to and on the ſaid Theobald Earl of Carlingford, and his heirs, for and in lieu of the eſtate of Coloony in the county of Sligo; and alſo, that the ſaid Theobald Earl of Carlingford ſhall have and enjoy to him and his heirs, the mannors, lands, tenements and hereditaments, whereof Chriſt Tuaffe of Braganſtowne, and Theoph. Tuaffe of Cookſtowne, or either of them, or any of their anceſtors, or any other perſon or perſons to their uſe, or in truſt for them or any of them, ſtood ſeized or poſſeſſed upon the 22d of October, 1641. And whereas the ſaid mannors, lands, tenements and hereditaments are by this preſent act to be reſtored to the ancient proprietors thereof, or unto their heirs or aſſigns; And alſo ſeveral other lands granted unto the ſaid Theobald Earl of Carlingford and his heirs, lying and being in the county of Meath, Sligo, and Typperary, whereby Nicholas now Earl of Carlingford will be a great ſufferer, if not otherwiſe provided for by this act: Be it therefore enacted, and it is hereby further enacted by the authority aforeſaid, that the commiſſioners for executing of this act ſhall forthwith ſet out in reprizals other mannors, lands, tenements and hereditaments, forfeited unto, and veſted in his majeſty by vertue of this act, or upon account of any attainder of treaſon, of equal value, worth and purchaſe with the mannors, lands, tenements and hereditaments from which the ſaid Nicholas Earl of Carlingford, or his heirs are to be removed or diſpoſſeſſed of by virtue of this preſent act, and which were held by the ſaid Nicholas Earl of Carlingford, by virtue of the ſaid acts of ſettlement and explanation or either of them, or by patent or patents upon the ſaid acts, and all and ſingular which lands and premiſes ſo ſet out in reprizal, the ſaid Nicholas Earl of Carlingford ſhall hold to him and his heirs, at and under the ſame or like tenure, rents and ſervices, as all purchaſers are to hold by this act the reprizal ſet out to them or any of them, and ſubject to ſuch mortgages, charges and incumbrances, as the lands from whence he or they are to be removed, were and are at the time of the paſſing of this act; any thing in this preſent act contained, or any other matter or thing to the contrary thereof, in any wiſe notwithſtanding. Provided always and be it further enacted by the authority aforeſaid, that this act or any thing herein contained, ſhall not be conſtrued or expounded in any courts, either in law or equity, to veſt in the kings moſt excellent majeſty, his heirs or ſucceſſors, or otherwiſe bar any remainder

mainder or remainders, or any right, title or intereſt whatſoever, that ought to have deſcended or come, or which ſhall or may hereafter deſcend or come upon or to Francis Lane now wife to Ulick Lord Viſcount Gallway, by vertue of any deed, will or other writing, whatſoever, made and executed by George Lord Viſcount Laneſborough deceaſed; and all the right, title and intereſt whatſoever, in reſpect of the premiſes, be ſaved to the ſaid Ulick Lord Viſcount Gallway and Dame Frances his wife, this act, or any thing therein contained to the contrary in any wiſe notwithſtanding. Always excepted ſuch lands, tenements and hereditaments as were at any time with-held or detained from the ancient proprietor or proprietors on account of any title derived or pretended to be derived from or under the ſaid acts of ſettlement and explanation or either of them, and not under the proprietor or his heirs. And whereas by a particular proviſo in the act commonly intituled, "An act "for the better execution of his majeſties gracious declaration for the ſettle-"ment of his kingdom of Ireland, and ſatisfaction of the ſeveral intereſts of "adventurers, ſouldiers, and others his ſubjects there." It is amongſt other things enacted, that the town of Mullingar in the county of Weſt-Meath, with all the houſes, caſtles, lands, tenements and commons thereunto belonging and forfeited to his late majeſty Charles the Second of happy memory, ſhould be and were by the ſaid act ſettled upon the late Earl of Granard and his heirs, by the name of Sir Arthur Forbes, Bart. according to a grant thereof paſſed to him by letters patents under his ſaid late majeſties great ſeal of Ireland, bearing date the 27th day of July in the thirteenth year of his ſaid late majeſties reign: And whereas the ſaid Earl of Granard hath in conſideration of a conſiderable marriage portion, ſettled the ſaid town of Mullingar, with all and ſingular the premiſes, on Arthur now Lord Forbes eldeſt ſon of the ſaid Earl of Granard: And whereas the ſaid town of Mullingar, and all other the premiſes, with their and every of their appurtenances, are by this preſent act to be reſtored to the ancient proprietors thereof, or unto their heirs or aſſigns, whereby the ſaid Arthur Lord Forbes will be a great ſufferer, if not otherwiſe provided for by this act. Be it therefore enacted, and it is hereby further enacted by the authority aforeſaid, that the commiſſioners for execution of this act, ſhall forthwith ſet out in reprizal other mannors, lands, tenements and hereditaments forfeited unto and veſted in his majeſty by vertue of this act, or upon account of any attainder of treaſon of equal value, worth and purchaſe with the ſaid town of Mullingar, and other

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the ſaid lands, tenements and hereditaments from which the ſaid Arthur Lord Forbes or his heirs, are to be removed or diſpoſſeſſed by vertue of this preſent act, or any clauſe or matter therein contained: All and ſingular which lands and premiſes, ſo ſet out in reprizals, the ſaid Arthur Lord Forbes ſhall hold to him and his heirs, at and under the ſame, or like tenures, rents and ſervices as all purchaſers are to hold by this act of the reprizals ſet out to them, or any of them, any thing in this preſent, or other matter or thing to the contrary thereof in any wiſe notwithſtanding. And be it further enacted by the authority aforeſaid, that whereas Francis Plowden, Eſq. is and for ſeveral years paſt has been ſeized in fee of ſeveral houſes, back-ſides, waſt plots, and gardens, lying and being in the city of Dublin, and town of Galloway, by and under the laſt will and teſtament of dame Katharine Plowden, relict of Sir Daniel Treſwel, Knight, deceaſed, he the ſaid Francis Plowden having paid above two thouſand pounds ſterling in debts and legacies out of the ſaid demiſed premiſes purſuant to the ſaid will, that the ſaid commiſſioners for executing of this act ſhall forthwith ſet out and allow in reprizal unto the ſaid Francis Plowden, his heirs and aſſigns, to his and their uſe, lands, tenements and hereditaments, of equal value, worth and purchaſe with the ſaid ſeveral houſes, waſt plots and gardens for which the ſaid Francis Plowden, his heirs or aſſigns, is or are to be removed, for reſtoring the ancient proprietor by this act, any thing herein contained to the contrary notwithſtanding: Provided always, that John Brown, Eſq. his heirs and aſſigns, ſhall in truſt for his creditors, and for ſupport of his iron-works, which are of publick advantage to your majeſty and this kingdom, have, hold and enjoy all and every the furnaces, ſtore-houſes, mills, dwelling-houſes and gardens, and other improvements, built or made by him, or on his account, in the county of Mayo, for his own, his clerks and workmens' dwelling houſes and conveniences to attend the ſaid works; and alſo all dams built by the ſaid John Brown for ſupport of the ſaid works, with power for repairs, as heretofore uſually done, and next the ſaid works, and moſt contiguous unto them, ſo much of the lands, which by the rules of this act would be taken away from the ſaid John Brown, or his heirs, and reſtored to the ancient proprietors, as is or ſhall be neceſſary for the gardens, dwelling-houſes and grazing for the cattel and horſes of the ſeveral clerks, workmen and labourers, employed or to be employed by the ſaid John Brown about the ſaid works; and the commiſſioners for executing of this act are hereby empowered for to aſcertain the quantity and rates of the ſaid lands

that

that ſhall be neceſſary for the ſaid Brown, his clerks, dwellers, workmen and labourers to be employed about the ſaid works reſpectively, as aforeſaid, and to order and appoint ſuch rents to be paid yearly to the ancient proprietors and their heirs, by the ſaid John Brown and his heirs, out of the ſaid lands, as they ſhall think fit, regard firſt only being had to the intrinſecal value of the ſaid lands. And whereas Martin Supple, Eſq. having been reſtored as an innocent by the commiſſioners for execution of the ſaid acts of ſettlement to the ancient eſtate of his anceſtors in the lands and tenements of Ightermurramore, Ightermurrabegg, Ballintoonduing, Ringlaſs, Ballinenirnaugh, and other lands in the baronry of Imokelly, and county of Cork; after which reſtitution, ſuit or conteſt being commenced or moved by Roger late Earl of Offery, who pretended a title to the ſaid lands under the late uſurped powers; and whereas the ſaid Martin Supple not being able to withſtand the power of the ſaid Earl, was neceſſitated to purchaſe his peace and quiet, by conveying or exchanging his ſaid ancient eſtate unto the ſaid earl, and to accept for the ſame the lands of Drommodimore, Drommadibegg, Parnahelly, Boughallane in the ſaid barony and county, which lands were held by the ſaid Earl, under the titles of the ſaid acts of ſettlement and explanation, or one of them, and therefore by this preſent act are reſtorable to the ancient proprietors thereof: Be it therefore enacted by the authority aforeſaid, that all conveyances and aſſurances made by the ſaid Martin Supple to the ſaid Earl of the ſaid ancient eſtate, or of any part thereof, be and are hereby annulled and made void to all intents and purpoſes whatſoever: And that the ſaid Martin Supple be and is hereby reſtored to the ſaid ancient eſtate, and ſhall and may hold and enjoy the ſame, according to ſuch eſtate and title as he had therein before the ſaid conveyance and exchange thereof, made ſubject, and liable to all remainders, uſes, truſts, limitations, and all other eſtates, charges and incumbrances, as the ſaid eſtate or lands from the ſaid Martin Supple is to be removed, were or ought to have been liable unto, any thing herein to the contrary notwithſtanding. Provided always and be it further enacted by the authority aforeſaid, that this act, or any thing therein contained, ſhall not be conſtrued or adjudged to veſt in your majeſty, or to bar any remainder or remainders limited to Colonel Richard Butler, or to any of his ſons, upon the reſpective particular eſtates limited to James Duke of Ormond and his brother, in and of the ancient eſtate, which on the 21ſt day of October, 1641, did rightfully belong unto James late Duke of Ormond deceaſed, or the lady Dutcheſs his wife, and the

ſame to be ſubject to all incumbrances whereunto the ſame ought to be liable, in caſe this act were never made. Provided always, that the remainder ſo limited to the ſaid Colonel Richard Butler and his ſons, be ſuch as is not, or was not in the power of the ſaid James now Duke of Ormond, and of his ſaid brother, or of either of them to bar. And be it further enacted by the authority aforeſaid, and it is hereby declared to be the true intent and meaning of this act, that all lands, tenements and hereditaments, uſes, truſts, poſſeſſion, reverſion or remainder, chattel real, and all and every other eſtate, either in law or equity, of what nature or kind ſoever within this kingdom, which on the ſaid firſt day of Auguſt, 1688, or at any time ſince, did belong or appertain to the ſociety, governors and aſſiſtants, of the new London, plantation of Ulſter in the kingdom of Ireland, or to any other body politick or corporate, derived unto them, or compoſed or conſiſting of any the citizens of London, by whatſoever name or names the ſame, or any of them are called, be and are hereby veſted in your majeſty, your heirs and ſucceſſors, as from the firſt day of Auguſt 1688, and to be part of the ſtock of reprizals herein before mentioned, ſaving always the right, title, eſtate and intereſt of the corporation of the mayor, commons and citizens of London-Derry and Colerain. And whereas ſeveral waſt plots of ground within ſeveral cities, towns and burroughs, or the ſuburbs thereof within this kingdom, at the publick charges of the ſeveral free-holders and inhabitants of the ſeveral and reſpective counties, cities, towns and boroughs, have been purchaſed from the then proprietors, or reputed proprietors thereof, and great ſums of money laid out and expended by them in building of ſeſſion-houſes, goals, houſes of correction, and other publick conveniences thereunto belonging, upon the ſaid waſt plots of ground, for the publick good and advantage of this kingdom; And whereas the ſaid waſt plots of ground, or ſome of them ſo purchaſed and improved upon, may by this preſent act, to the great prejudice of this commonwealth, be reſtored unto the old proprietors thereof, if not by ſome ſpecial clauſe or proviſo prevented: Be it therefore enacted by the authority aforeſaid, and it is hereby enacted, that all the lands, tenements and hereditaments ſo purchaſed, as aforeſaid, and whereupon any ſeſſion houſes, goals, houſes of correction are built, ſhall be and are hereby veſted in your majeſty, your heirs and ſucceſſors, to the uſe herein after expreſſed; and that the ſeveral and reſpective old proprietors of the ſaid waſt plots of ground, ſhall by the commiſſioners for execution of this act be forthwith reprized for the ſame out of ſome of the forfeited lands, veſted in your majeſty,

majeſty, your heirs and ſucceſſors by vertue of this act, of equal value, worth and purchaſe with the ſaid waſt plots of ground, before any buildings or improvements made thereupon, to have and to hold the ſaid lands to be ſet out in reprizals, and them and every of them, their heirs and aſſigns, at or under the ſame, or like tenures, rents and ſervices, as all purchaſers are to hold by this act, the reprizals ſet out to them, or any of them, any thing in this preſent act, or any other matter or thing to the contrary thereof in any wiſe notwithſtanding. Provided always, and it is hereby declared, that ſuch of the waſt plots ſo built upon, as did not formerly belong unto, and were the conſecrated ground or ſite circuit and ambits of any monaſtary, abby, or other religious houſe, ſhall be and remain veſted in your majeſty, your heirs and ſucceſſors, to the ſaid publick uſes for which the ſame were ſo purchaſed and built upon: And as to all ſuch of the ſaid waſt plots ſo built upon as did formerly belong to, and was the conſecrated ground or ſite, circuit and ambits of any monaſtary, abby, or other religious houſe, the ſame ſhall be and remain veſted in your majeſty, your heirs and ſucceſſors, to be diſpoſed of to ſuch pious or charitable uſes, as your majeſty, your heirs and ſucceſſors ſhall think fit: And whereas ſome meriting perſons, who are to loſe conſiderable eſtates by this act, might by the foregoing rules be entituled to ſmall or no reprizals, but by their eminent ſervices may in a ſpecial manner merit your majeſties grace and favour: Be it enacted by the authority aforeſaid, that your majeſty may in ſuch ſpecial caſes ſet forth and grant reprizals to ſuch meriting perſons, as by your majeſties letters, under your majeſties privy ſignet or ſign manual, order the commiſſioners for executing this act to ſet forth reprizals for them; and likewiſe, if your majeſty ſhall ſo think fit, to appoint and aſcertain where and what lands ſhall be ſet out to them.

No. XLVIII.

An Act for the Advance and Improvement of Trade, and for Encouragement and Increaſe of Shipping, and Navigation. (*Page* 190)

WHEREAS this kingdom of Ireland, for its good ſcituation, commodious harbours, and great quantity of goods, the growth, product, and manufactury thereof, is, and ſtandeth very fit and convenient for trade and commerce with

moſt nations, kingdoms and plantations; and ſeveral laws, ſtatutes and ordinances, having heretofore been made, and enacted from time to time, prohibiting and diſabling the king's ſubjects of this realm, to export, or carry out of this kingdom, unto any other the king's iſlands, plantations, or colonies, in Aſia, Africa, or America, ſeveral of the goods, wares, merchandizes, and commodities of this nation; or to import into this kingdom, the goods or merchandizes of the ſaid plantations, colonies and iſlands, without landing or diſcharging in England, Wales, or the town of Berwick upon Tweed, under great penalties and forfeitures, not only to the decay of the king's revenue, but alſo to the very great prejudice and diſadvantage of all the inhabitants in this kingdom, as well ſubjects as ſtrangers; and which hath in a high meaſure contributed to impoveriſh this kingdom, and diſcouraged ſeveral merchants, traders, and artificers, to come from abroad, and dwell, and trade here: And whereas, the encreaſe of ſhipping, and the encouragement of navigation, under the good providence of God, and the careful protection of his ſacred majeſty, are the beſt and fitteſt means and foundations, whereon the wealth, ſafety and ſtrength of this iſland and kingdom, may be built and eſtabliſhed. Be it therefore enacted, by the king's moſt excellent majeſty, with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled; and by the authority of the ſame, that it ſhall and may be lawful to and for his majeſties ſubjects of this realm of Ireland, and to and for every other perſon and perſons, of what nation ſoever, reſiding and inhabiting here, during the time of ſuch reſidence, freely to trade into, and from all and every his majeſties plantations, colonies and iſlands, in Aſia, Africa, and America, and to export from this kingdom, and carry unto all and every the ſaid plantations, colonies, and iſlands, and there ſell, diſpoſe of, and barter all ſorts of goods, wares, merchandizes and commodities, as well of the growth product, or manufactury of this kingdom, as of any other part of Europe, commonly called European goods, and import, and bring into this kingdom of Ireland, all ſorts of goods, wares, merchandizes, and commodities of the growth, product, or manufactury, of all or any the ſaid iſlands, colonies and plantations, without being oblidged to land or unload in England, Wales, or the Town of Berwick upon Tweed, or entring all or any ſuch goods, wares, or merchandizes there; but as herein after is expreſſed, and without being oblidged upon ſhipping, or taking on board, in the ſaid plantations, colonies, or iſlands, the ſaid commodities, to enter into any bond, to bring the ſaid goods

goods into England, Wales, or Town of Berwick upon Tweed, and to unload and put the ſame on ſhoar, any act, ſtatute, ordinance, law, ſentence, or judgment, at any time heretofore made, given, or in force, to the contrary notwithſtanding: Provided always, that the maſter or owner of all and every ſuch ſhip and ſhips, veſſel or veſſels, ſo trading, from this kingdom, unto all or any the ſaid iſlands, colonies, or plantations, his or their agent or factors ſhall, and do before ſuch ſhip or ſhips, veſſel or veſſels, ſail from any part of this kingdom, towards the ſaid iſlands, colonies, or plantations perfect, and enter into a bond, with one ſufficient ſecurity, to the uſe of the king, and to be perfected to the collector, or chief cuſtom-houſe officer of ſuch port or place, whence ſuch ſhip or veſſel is to ſail, in ſuch a reaſonable ſum, as ſuch collector, or cuſtom-houſe officer, ſhall require, regard being had to the value of ſuch cargoe, as the ſaid ſhip or veſſel ſhall export, with condition to bring the goods, wares, and merchandizes, which ſuch ſhip or veſſel ſhall take in, at all or any the ſaid plantations, colonies, or iſlands, into England, Ireland, Wales, or Town of Berwick upon Tweed, and to no other place, and there to aboad and put the ſame on ſhoar, the danger of the ſeas only excepted: Be it likewiſe enacted, by the authority aforeſaid, that all goods and merchandizes whatſoever, which ſhall be carryed, conveyed, or exported out of this kingdom of Ireland, to the ſaid iſlands, colonies, and plantations, ſhall be lyable, and pay to the king's majeſty, his heirs and ſucceſſors, in the ſaid iſlands, plantations and colonies, the ſame or ſo much cuſtoms, exciſe, or other duties, as the like goods or merchandizes being exported out of England, into all, or any the ſaid plantations, colonies, or iſlands, and all goods or merchandizes imported into this kingdom, out of all or any the ſaid iſlands, colonies and plantations, (tobacco and ſugar only excepted) ſhall pay in this kingdom to the uſe of the king's majeſty, his heirs and ſucceſſors, the ſame or like duties, cuſtom and exciſe, and no more or other, and in ſuch manner, and at ſuch time, and ſubject to ſuch penalties and forfeitures, for non-entry, undue-entry, or non-payment of duties, as in the like acts of parliament made in this kingdom, in the fourteenth or fifteenth years of the reign of the late King Charles the Second; the one, entituled, "An act for ſettling the ſubſidy or poundage, "and granting of ſubſidy of tunnage, and other ſums of money unto his "royal majeſty, his heirs and ſucceſſors; the ſame to be paid upon merchan-"dize, imported and exported into, or out of the kingdom of Ireland, "according to a book of rates hereunto annexed;" and the other, intituled,

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" An act for the ſettling of the exciſe, or new im-poſt, upon his majeſty, his " heirs and ſucceſſors, according to the book of rates therein inſerted, and as " in the ſaid book of rates, and as in the rules, orders and directions, to the " ſaid acts and books of rates annexed, are contained and ſpecified:" And whereas, the duties, and cuſtom, and exciſe on tobacco, of the king's majeſties plantations, imported into this kingdom, amount to no more, according to the ſaid two late acts of parliament in this kingdom, and books of rates to them annexed, but to two pence per pound, which is too ſmall a duty. Be it therefore enacted, by the authority aforeſaid, that all tobacco of the growth, or product of all or any his majeſties new plantations or iſlands, or any plantations belonging to his moſt chriſtian majeſty, imported into this kingdom, out of all or any the ſaid plantations and iſlands, ſhall from and after the eighteenth day of July, 1689, be charged, and lyable to pay unto his majeſty, his heirs, and ſucceſſors, the ſum of five pence ſterling for each pound, cuſtom, and exciſe, (that is to ſay) two pence for each pound cuſtom, and three pence for each pound exciſe, and no more, provided always, that Spaniſh and Brazill tobacco ſhall pay the ſame duty of cuſtom, and exciſe, as formerly; and that likewiſe, tobacco of that growth or product of the king's plantation, or any of the foreign plantations belonging to his moſt chriſtian majeſty, imported into this kingdom out of England, or any other part of Europe at any time, from or after the eighteenth day of July, 1689, ſhall pay and ſatisfy unto the king's majeſty, his heirs and ſucceſſours, the ſum of two pence, ſterling, cuſtom, for, and out of each, and every pound, and the ſum of two-pence halfpenny, ſterling, exciſe for and out of each pound, and no more. And, that ſugars, indicoe, log-wood, imported into this kingdom out of England, ſhall pay and ſatisfy unto the kings majeſty, his heirs and ſucceſſours, (viz.) white ſugar, coming from England, ten ſhillings cuſtom, and ten ſhillings exciſe, for every hundred weight, and no more; brown ſugar, the ſum of two ſhillings, ſix-pence, ſterl. cuſtom, and the like ſum of two ſhillings ſix-pence ſterling exciſe for each hundred weight, and no more; indicoe, the ſum of two pence per pound exciſe, and two pence cuſtom for each pound, and no more; And log-wood, five ſhillings, ſterling, exciſe, and five ſhillings, ſterling, cuſtom, for each hundred weight, and no more; The ſaid duties, cuſtoms, and exciſe to be paid in ſuch manner, and under ſuch pains and forfeitures, and with ſuch allowances, as in the aforeſaid two acts and books of rates, orders, and directions are expreſſed and contained. And for the further encouragement and advance of the ſaid plantation trade, and for maintaining a greater, and more firm correſpondence

ſpondence and kindneſs between the ſubjects of this kingdom, and the planters, and inhabitants of the ſaid plantations and iſlands; Be it enacted, by the authority aforeſaid, that whatſoever goods or commodities of the growth, product, or manufactury of the ſaid iſlands or plantations, ſhall be at any time hereafter unloaded, or landed, in any part of this kingdom, and ſhall pay or ſecure to be paid, the cuſtom, duties, and exciſe on the ſaid goods, due and payable, that at any time hereafter, within the ſpace of one whole year, to commence from the day of ſuch landing, it ſhall, and may be lawful to and for the merchant, owner or proprietor of ſuch goods and commodities, his or their agents or factors, to export and carry out of this kingdom into any other nation, dominion or country, ſuch and ſo much of the ſaid goods and commodities ſo landed, as he or they ſhall think fit; and that upon ſuch exportation the whole exciſe of ſuch goods, which was before paid, or ſecured to be paid for the ſame, and one half of the cuſtom of the ſaid goods before paid or ſecured to be paid, ſhall be re-paid or allow'd to ſuch merchant, owner, proprietor, his or their factors or agents ſo exporting, and that within twenty days next and immediately enſuing the date and time of ſuch exportation, tobacco only excepted. And for the more encouragement of building good and ſerviceable ſhips, be it enacted by the authority aforeſaid, that any perſon or perſons who ſhall within the ſpace of ten years to commence the 24th of June, 1689, build, or cauſe to be built within this kingdom of Ireland any ſhip or veſſel above twenty-five tun, and under one hundred tun burthen, ſhall and may for the firſt three voyages any ſuch ſhip or veſſel ſhall make out of this kingdom, upon the ſaid ſhips or veſſels return from ſuch voyage back into this kingdom, have, receive, or be allowed to his and their own proper uſe one eighth part of the duties of cuſtoms and exciſe which ſhall be due or payable to the king, his heirs or ſucceſſors, for and out of all the goods and commodities ſo imported in ſuch ſhip or veſſel upon the ſaid three firſt returns, which ſuch ſhip or veſſel ſhall make into this kingdom. And likewiſe, that any perſon or perſons, who ſhall within the ſaid ſpace of ten years commencing, as aforeſaid, build or cauſe to be built in this kingdom any ſhip or veſſel exceeding in burthen 100 ton, ſhall for the firſt four voyages ſuch ſhip or veſſel ſhall make out of this kingdom, and upon the ſaid ſhip or veſſels return from the ſaid voyages back to this kingdom, have and receive to his and their own proper uſe one eighth part of the duties of cuſtom and exciſe, which ſhall be due or payable to the king, his heirs or ſucceſſors, for or out of the goods and commodities

commodities ſo imported into ſuch ſhip or veſſel upon the four firſt returns ſuch ſhip or veſſel ſhall make out of this kingdom. And to the end that maſters of ſhips, ſea-men, mariners, ſhip-wrights, carpenters, rope-makers and block-makers may be encouraged and invited to come and dwell in this kingdom, and that thereby navigation may improve and increaſe, be it further enacted by the authority aforeſaid, that all and every maſters of ſhips, and ſhip-wrights, ſhip-carpenters, ſea-men, mariners, rope-makers, and block-makers, who are at preſent reſiding within this kingdom, or who ſhall or do at any time from henceforth come and reſide in this kingdom of Ireland, and ſhall purſue and follow his trade or calling, ſhall and may for the time and ſpace of ten years after his or their ſo coming into this kingdom, be freed, exempted and diſcharged of, and from all ſorts of taxes, and ceſſes, watch, ward, and quartering of ſoldiers and officers in and throughout this kingdom: And ſhall likewiſe have and be allowed his and their freedom gratis in any town, city, ſea-port, corporation or borough, where he or they ſhall pleaſe to reſide, and purſue his or their calling or trade. And be it further enacted by the authority aforeſaid, that in the reſpective cities and towns of Dublin, Belfaſt, Waterford, Cork, Lymerick and Galloway there ſhall be eſtabliſhed, erected and ſetled, before the firſt day of December, 1689, in each of the ſaid towns and cities, and ſo continued for ever hereafter, a free ſchool for teaching and inſtructing the mathematicks, and the art of navigation; in every of which ſchools there ſhall be placed and continued one or more able and ſufficient maſter or maſters for teaching and inſtructing the ſaid arts: And that every of the ſaid towns and cities ſhall out of the publick revenue and ſtock to them belonging, or otherwiſe, ſettle and ſecure a reaſonable penſion and ſtipend for ſuch maſter or maſters, to be paid them quarterly during his and their continuance in ſuch employment or employments: Provided always, and be it further enacted by the authority aforeſaid, that the ſaid duties of cuſtom and exciſe of tobacco of the growth or product of his majeſties plantation, ſhall be and continue payable to his majeſty, his heirs and ſucceſſors, during the time, and ſo long as the now duties in England of cuſtom and exciſe on tobacco, amounting to five-pence per pound, ſhall and do continue, and ſo long as this kingdom of Ireland ſhall have a free and open trade to and from the king's ſaid foreign plantations, and no longer; and whenſoever the ſaid duties of five pence per pound cuſtom and exciſe ſhall ceaſe and determine in England, that then the duties of cuſtom and exciſe, payable for tobacco imported

ported in this kingdom before the making of this act, ſhall remain, and be payable for ever thereafter to his majeſty, his heirs and ſucceſſors, and no more or other, and this preſent duty to ceaſe and determine. Provided likewiſe, that it ſhall and may be lawful to and for all and every perſon and perſons ſo importing tobacco from time to time, and at all times hereafter, to export and carry out of this kingdom into any other nation or kingdom all or any part of the ſaid tobacco imported, and that upon ſuch exportation out of this kingdom, the whole duty of exciſe of the ſaid tobacco, and three half pence per pound of the cuſtom ſhall be allowed and re-paid the merchant, owner or proprietor, his or their agents or factors ſo exporting the ſaid tobacco: ſo that there ſhall be and remain to his majeſty, his heirs and ſucceſſors, but one half penny per pound cuſtom for the ſaid tobacco ſo exported.

No. XLIX.

The Civil and Military Articles of Limerick, exactly printed from the Letters Patents, wherein they are ratified and exemplified by their Majeſties, under the Great Seel of England.

GULIELMUS et Maria Dei gratiâ, Angliæ, Scotiæ, Franciæ, et Hiberniæ, rex et regina, fidei defenſores, &c. omnibus ad quos præſentes literæ noſtræ pervenerint ſalutem: inſpeximus irrotulament.

Quarumd. literarum patentium de confirmatione, geren. dat. apud Weſtmonſterium viceſimo quarto die Februaii, ultimi præteriti in cancellar. noſtr. irrotulat. ac ibidem de recordo remanen. in hæc verba. William and Mary by the grace of God, &c. To all to whom theſe preſents ſhall come greeting. Whereas certain articles, bearing date the third day of October laſt paſt, made and agreed on between our juſtices of our kingdom of Ireland, and our general of our forces there on the one part; and ſeveral officers there commanding within the city of Limerick in our ſaid kingdom, on the other part. Whereby our ſaid juſtices and general did undertake that we ſhould ratify thoſe articles, within the ſpace of eight months, or ſooner, and uſe their utmoſt endeavours that the ſame ſhould be ratified and confirmed in parliament.

The tenour of which ſaid articles is as follows, viz.

Articles agreed upon the third of October, one thouſand ſix hundred and

ninety-one, between the Right Honourable Sir Charles Porter, knight, and Thomas Conningſby, Eſq. Lords Juſtices of Ireland; and his excellency the Baron de Ginckle, Lieutenant General, and Commander in Chief of the Engliſh army, on the one part.

And the Right Honourable Patrick Earl of Lucan, Piercy Viſcount Gallmoy, Colonel Nicholas Purcel, Colonel Nicholas Cuſack, Sir Toby Butler, Colonel Garret Dillon, and Colonel John Brown, on the other part;

In behalf of the Iriſh inhabitants in the city and county of Limerick, the counties of Clare, Kerry, Cork, Sligo, and Mayo.

In conſideration of the ſurrender of the city of Limerick, and other agreements made between the ſaid Lieutenant General Ginckle, the Governour of the city of Limerick, and the Generals of the Iriſh army, bearing date with theſe preſents, for the ſurrender of the ſaid city, and ſubmiſſion of the ſaid army; it is agreed, that

1. The Roman Catholics of this kingdom ſhall enjoy ſuch privileges in the exerciſe of their religion, as are conſiſtent with the laws of Ireland; or as they did enjoy in the reign of King Charles the Second; and their majeſties, as ſoon as their affairs will permit them to ſummon a parliament in this kingdom, will endeavour to procure the ſaid Roman Catholicks ſuch further ſecurity in that particular, as may preſerve them from any diſturbance upon the account of their ſaid religion.

2. All the inhabitants or reſidents of Limerick or any other garriſon now in the poſſeſſion of the Iriſh, and all officers and ſoldiers, now in arms, under any commiſſion of King James, or thoſe authorized by him, to grant the ſame in the ſeveral counties of Limerick, Clare, Kerry, Cork, and Mayo, or any of them; and all the commiſſioned officers in their majeſty's quarters, that belong to the Iriſh regiments, now in being, that are treated with, and who are not priſoners of war, or have taken protection, and who ſhall return and ſubmit to their majeſties obedience; and they and every of them, ſhall hold, poſſeſs, and enjoy, all and every their eſtates of freehold and inheritance, and all the rights, titles, and intereſts, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully intitled to in the reign of King Charles the Second, or at any time ſince, by the laws and ſtatutes that were in force in the ſaid reign of King Charles the Second, and ſhall be put in poſſeſſion, by order of the government of ſuch of them, as are in the king's hands, or the hands of his tenants, without being put to any ſuit or trouble therein.

therein; and all ſuch eſtates ſhall be freed and diſcharged from all arrears of crown-rents, quit-rents, and other public charges, incurred and become due ſince Michaelmas, 1688, to the day of the date thereof. And all perſons comprehended in this article, ſhall have, hold, and enjoy all their goods and chattels, real and perſonal, to them or any of them, belonging, and remaining either in their own hands, or the hands of any perſons whatſoever, in truſt for, or for the uſe of them, or any of them; and all, and every the ſaid perſons, of what profeſſion, trade or calling ſoever they be, ſhall and may uſe, exerciſe, and practiſe their ſeveral and reſpective profeſſions, trades, and callings, as freely as they did uſe, exerciſe, and enjoy the ſame in the reign of King Charles the Second, provided that nothing in this article contained be conſtrued to extend to, or reſtore any forfeiting perſon now out of the kingdom, except what are hereafter compriſed: Provided alſo that no perſon whatſoever ſhall have or enjoy the benefit of this article that ſhall neglect or refuſe to take the oath of allegiance made by act of parliament of England, in the firſt year of the reign of their preſent majeſties, when thereunto required.

3. All merchants, or reputed merchants of the city of Limerick, or of any other garriſon now poſſeſſed by the Iriſh or of any town or place in the counties of Clare or Kerry, who are abſent beyond the ſeas, that have not born arms ſince their majeſties declaration in February, 1688, ſhall have the benefit of the ſecond article, in the ſame manner as if they were preſent; provided ſuch merchants, and reputed merchants, do repair into this kingdom within the ſpace of eight months from the date hereof.

4. The following officers, viz. Colonel Simon Lutteral, Captain Rowland White, Maurice Euſtace of Yermanſtown, Chievers of Mayſtown, commonly called Mount Leinſter, now belonging to the regiments in the aforeſaid garriſons and quarters of the Iriſh army, who were beyond the ſeas, and ſent thither upon affairs of their reſpective regiments, or the army in general, ſhall have the benefit and advantage of the ſecond article, provided they return hither within the ſpace of eight months from the date of theſe preſents, and ſubmit to their majeſties government, and take the above-mentioned oath.

5. That all and ſingular the ſaid perſons compriſed in the ſecond and third article, ſhall have a general pardon of all attainders, outlawries, treaſons, miſpriſions of treaſon, premunires, felonies, treſpaſſes, and other crimes and miſdemeanors whatſoever, by them or any of them, committed ſince the beginning

of the reign of King James the Second, and if any of them are attainted by parliament, the lords juſtices, and general, will uſe their beſt endeavours to get the ſame repealed by parliament, and the outlawries to be reverſed gratis, all but writing-clerks fees.

6. And whereas theſe preſent wars have drawn on great violences on both parts; and that if leave were given to the bringing all ſorts of private actions, the animoſities would probably continue, that have been too long on foot, and the public diſturbances laſt; for the quieting and ſettling therefore of this kingdom, and avoiding thoſe inconveniences which would be the neceſſary conſequence of the contrary, no perſon or perſons whatſoever, compriſed in the foregoing articles, ſhall be ſued, moleſted, or impleaded at the ſuit of any party or parties whatſoever, for any treſpaſſes by them committed, or for any arms, houſes, money, goods, chattels, merchandizes, or proviſion whatſoever, by them ſeized or taken during the time of the war. And no perſon or perſons whatſoever, in the ſecond or third articles compriſed, ſhall be ſued, impleaded, or made accountable for the rents or mean rates of any lands, tenements or houſes, by him or them received, or enjoyed in this kingdom, ſince the beginning of the preſent war, to the day of the date hereof, nor for any waſte or treſpaſs by him or them committed in any ſuch lands, tenements or houſes: and it is alſo agreed, that this article ſhall be mutual and reciprocal on both ſides.

7. Every nobleman and gentleman compriſed in the ſaid ſecond and third article, ſhall have liberty to ride with a ſword and caſe of piſtols, if they think fit, and keep a gun in their houſes for the defence of the ſame, or for fowling.

8. The inhabitants and reſidents in the city of Limerick, and other garriſons, ſhall be permitted to remove their goods, chattels, and proviſions, out of the ſame without being viewed and ſearched, or paying any manner of duties, and ſhall not be compelled to leave the houſes or lodgings they now have, for the ſpace of ſix weeks next enſuing the date hereof.

9. The oath to be adminiſtered to ſuch Roman Catholics as ſubmit to their majeſties government, ſhall be the oath above ſaid, and no other.

10. No perſon or perſons who ſhall at any time hereafter break theſe articles, or any of them, ſhall thereby make, or cauſe any other perſon or perſons to forfeit or loſe the benefit of the ſame.

11. The lords juſtices and general do promiſe to uſe their utmoſt endeavours, that all the perſons comprehended in the above mentioned articles,

ſhall

ſhall be protected and defended from all arreſts and executions for debt or damage, for the ſpace of eight months next enſuing the date hereof.

12. Laſtly, the lords juſtices and general do undertake, that their majeſties will ratify theſe articles within the ſpace of eight months, or ſooner, and uſe their utmoſt endeavours that the ſame ſhall be ratified and confirmed in parliament.

13. And whereas Colonel John Brown ſtood indebted to ſeveral proteſtants, by judgments of record, which appearing to the late government, the Lord Tyrconnel, and Lord Lucan, took away the effects the ſaid John Brown had to anſwer the ſaid debts; and promiſed to clear the ſaid John Brown of the ſaid debts: which effects were taken for the public uſe of the Iriſh, and their army: for freeing the ſaid Lord Lucan of his ſaid engagement, paſt on their public account, for payment of the ſaid Proteſtants, and for preventing the ruin of the ſaid John Brown, and for ſatisfaction of his creditors, at the inſtance of the Lord Lucan, and the reſt of the perſons aforeſaid, it is agreed, that the ſaid lords juſtices, and the ſaid Baron De Ginckle ſhall intercede with the king and parliament, to have the eſtates ſecured to Roman Catholicks, by articles and capitulation in this kingdom, charged with, and equally liable to the payment of ſo much of the ſaid debts, as the ſaid Lord Lucan upon ſtating accounts with the ſaid John Brown, ſhall certify under his hand, that the effects taken from the ſaid John Brown amount unto; which accompt is to be ſtated, and the balance certified by the ſaid Lord Lucan in one and twenty days after the date hereof: for the true performance hereof, we have hereunto ſet our hands.

Preſent,—Scravemore, Charles Porter,
H. Maccay, Tho. Coningſby,
T. Talmaſh, Bar. De Ginckle.

And whereas the ſaid city of Limerick hath been ſince, in purſuance of the ſaid articles, ſurrendered unto us. Now know ye, that we having conſidered of the ſaid articles are graciouſly pleaſed hereby to declare, that we do for us, our heirs, and ſucceſſors, as far as in us lies, ratify and confirm the ſame, and every clauſe, matter, and thing therein contained. And as to ſuch parts thereof, for which an act of parliament ſhall be found to be neceſſary, we ſhall recommend the ſame to be made good by parliament, and ſhall give our royal aſſent to any bill or bills that ſhall be paſſed by our two houſes of parliament to that purpoſe. And whereas it appears unto us, that it was agreed between the

the parties to the ſaid articles, that after the words Limerick, Clare, Kerry, Cork, Mayo, or any of them, in the ſecond of the ſaid articles, the words following, viz. And all ſuch as "are under their protection in the ſaid counties," ſhould be inſerted, and be part of the ſaid articles. Which words having been caſually omitted by the writer, the omiſſion was not diſcovered till after the ſaid articles were ſigned, but was taken notice of before the ſecond town was ſurrendered: and that our ſaid juſtices and general, or one of them, did promiſe that the ſaid clauſe ſhould be made good, it being within the intention of the capitulation, and inſerted in the foul draft thereof. Our further will and pleaſure is, and we do hereby ratify and confirm the ſaid omitted words, viz. "And all ſuch as are under their protection in the ſaid counties," hereby for us, our heirs and ſucceſſors, ordaining and declaring, that all and every perſon and perſons therein concerned, ſhall and may have, receive, and enjoy the benefit thereof, in ſuch and the ſame manner, as if the ſaid words had been inſerted in their proper place, in the ſaid ſecond article, any omiſſion, defect, or miſtake in the ſaid ſecond article in any wiſe notwithſtanding. Provided always, and our will and pleaſure is, that theſe our letters patents ſhall be enrolled in our Court of Chancery, in our ſaid kingdom of Ireland, within the ſpace of one year next enſuing.

In witneſs, &c. Witneſs Ourſelf at Weſtminſter, the twenty-fourth day of February, anno regni regis et reginæ Gulielmi et Mariæ quarto per breve de privato ſigillo. Nos autem tenorem premiſſor. predict. ad requiſitionem attornat. general. domini regis & dominæ pro regno Hiberniæ Duximus exemplificand. per preſentes. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſtibus nobis ipſis apud Weſtmon. quinto die Aprilis, annoq. regni eorum quarto.

BRIDGES.

Examinat. per nos { S. Keek, Lacon Wm. Childe } { In Chancel. Magiſtros.

Military articles agreed upon between the Baron De Ginckle, Lieutenant General, and Commander in Chief of the Engliſh army, on the one ſide; And the Lieutenant General De Uſſoon and De Teſſe, Commanders in Chief of the Iriſh army on the other; and the General Officers hereunto ſubſcribing.

1. That all perſons without any exceptions, of what quality or condition ſoever, that are willing to leave the kingdom of Ireland, ſhall have free liberty

to

to go to any country beyond the ſeas (England and Scotland excepted) where they think fit, with their families, houſehold-ſtuff, plate and jewels.

2. That all general officers, colonels, and generally all other officers of horſe, dragoons, and foot guards, troopers, dragooners, ſoldiers of all kinds that are in any garriſon, place, or poſt, now in the hands of the Iriſh, or encamped in the counties of Cork, Clare, and Kerry, as alſo thoſe called rapparees, or volunteers, that are willing to go beyond ſeas as aforeſaid, ſhall have free leave to embark themſelves wherever the ſhips are that are appointed to tranſport them, and to come in whole bodies as they are now compoſed, or in parties, companies or otherwiſe, without having any impediment, directly or indirectly.

3. That all perſons above mentioned, that are willing to leave Ireland and go into France, ſhall have leave to declare at the times and places hereafter mentioned, viz. the troops in Limerick, on Tueſday next in Limerick; the horſe at their camp on Wedneſday, and the other forces that are diſperſed in the counties of Clare, Kerry, and Cork, on the 8th inſtant, and on none other, before Monſieur Tameron the French intendant, and Colonel Withers, and after ſuch declaration is made, the troops that will go into France muſt remain under the command and diſcipline of thoſe officers that are to conduct them thither, and deſerters of each ſide ſhall be given up, and puniſhed accordingly.

4. That all Engliſh and Scotch officers that ſerve now in Ireland, ſhall be included in this capitulation, as well for the ſecurity of their eſtates and goods in England, Scotland, and Ireland, (if they are willing to remain here,) as for paſſing freely into France, or any other country to ſerve.

5. That all the general French officers, the intendant, the engineers, the commiſſaries at war, and of the artillery, the treaſurer, and other French officers, ſtrangers, and all others whatſoever, that are in Sligo, Roſs, Clare, or in the army, or that do trade or commerce, or are otherwiſe employed in any kind of ſtation or condition, ſhall have free leave to paſs into France or any other country, and ſhall have leave to ſhip themſelves, with all their horſes, equipage, plate, papers, and all their effects whatever; and that General Ginckle will order paſſports for them, convoys, and carriages by land and water, to carry them ſafe from Limerick to the ſhips where they ſhall be embarked, without paying any thing for the ſaid carriages, or to thoſe that are employed therein, with their horſes, cars, boats, and ſhallops.

6. That if any of the aforeſaid equipages, merchandize, horſes, money, plate

plate or other moveables, or houſehold ſtuff belonging to the ſaid Iriſh troops, or to the French officers, or other particular perſons whatſoever, be robbed, deſtroyed, or taken away by the troops of the ſaid general, the ſaid general will order it to be reſtored, or payment to be made according to the value that is given in upon oath by the perſon ſo robbed or plundered; and the ſaid Iriſh troops to be tranſported as aforeſaid; and all other perſons belonging to them, are to obſerve good order in their march and quarters, and ſhall reſtore whatever they ſhall take from the country, or make reſtitution for the ſame.

7. That to facilitate the tranſporting the ſaid troops, the general will furniſh fifty ſhips, each ſhip's burthen two hundred tons; for which, the perſons to be tranſported ſhall not be obliged to pay, and twenty more, if there ſhall be occaſion, without their paying for them; and if any of the ſaid ſhips ſhall be of leſſer burthen, he will furniſh more in number to countervail, and alſo give two men of war to embark the principal officers, and ſerve for a convoy to the veſſels of burthen.

8. That a commiſſary ſhall be immediately ſent to Cork to viſit the tranſport ſhips, and what condition they are in for ſailing; and that as ſoon as they are ready, the troops to be tranſported ſhall march with all convenient ſpeed, the neareſt way, in order to embark there; and if there ſhall be any more men to be tranſported than can be carried off in the ſaid fifty ſhips, the reſt ſhall quit the Engliſh town of Limerick, and march to ſuch quarters as ſhall be appointed for them, convenient for their tranſportation, where they ſhall remain till the other twenty ſhips be ready, which are to be in a month; and may embark on any French ſhip that may come in the mean time.

9. That the ſaid ſhips ſhall be furniſhed with forage for horſe, and all neceſſary proviſions to ſubſiſt the officers, troops, dragoons, and ſoldiers, and all other perſons that are ſhipped to be tranſported into France, which proviſions ſhall be paid for as ſoon as all are diſembarked at Breſt or Nantz, upon the Coaſt of Brittany, or any other part of France they can make.

10. And to ſecure the return of the ſaid ſhips (the danger of the ſeas excepted) and payment for the ſaid proviſions, ſufficient hoſtages ſhall be given.

11. That the garriſons of Clare Caſtle, Roſs, and all other foot that are in garriſons in the counties of Clare, Cork, and Kerry, ſhall have the advantage of this preſent capitulation, and ſuch part of thoſe garriſons as deſign to go beyond the ſeas, ſhall march out with their arms, baggage, drums beating, ball in mouth, match lighted at both ends, and colours flying, with all the proviſions,

and

and half the ammunition that is in the ſaid garriſons, and join the horſe that march to be tranſported; or if then there is not ſhipping enough for the body of foot that is to be next tranſported after the horſe, General Ginckle will order that they be furniſhed with carriages for that purpoſe, and what proviſions they ſhall want in their march, they paying for the ſaid proviſions, or elſe that they may take it out of their own magazines.

12. That all the troops of horſe and dragoons, that are in the counties of Cork, and Clare, ſhall alſo have the benefit of this capitulation; and that ſuch as will paſs into France, ſhall have quarters given them in the counties of Clare and Kerry, apart from the troops that are commanded by General Ginckle, until they can be ſhipped; and within their quarters they ſhall pay for every thing, except forage and paſture for their horſes, which ſhall be furniſhed gratis.

13. Thoſe of the garriſon of Sligo that are joined to the Iriſh army, ſhall have the benefit of this capitulation; and orders ſhall be ſent to them that are to convey them up, to bring them hither to Limerick the ſhorteſt way.

14. The Iriſh may have liberty to tranſport nine hundred horſe, including horſes for the officers, which ſhall be tranſported gratis; and as for the troopers that ſtay behind, they ſhall diſpoſe of themſelves as they ſhall think fit, giving up their horſes and arms to ſuch perſons as the general ſhall appoint.

15. It ſhall be permitted to thoſe that are appointed to take care for the ſubſiſtence of the horſe, that are willing to go to France, to buy hay and corn at the king's rates wherever they can find it, in the quarters that are aſſigned them, without any let or moleſtation, and to carry all neceſſary proviſions out of the city of Limerick, and for this purpoſe the general will furniſh convenient carriages for them to the places where they ſhall be embarked.

16. It ſhall be lawful to make uſe of the hay preſerved in the ſtores of the county of Kerry, for the horſes that ſhall be embarked; and if there be not enough, it ſhall be lawful to buy hay and oats wherever it ſhall be found, at the king's rates.

17. That all priſoners of war, that were in Ireland the 28th of September, ſhall be ſet at liberty on both ſides; and the general promiſes to uſe his endeavours, that thoſe that are in England and Flanders ſhall be ſet at liberty alſo.

18. The general will cauſe proviſions and medicines to be furniſhed to the ſick and wounded officers, troopers, dragoons, and ſoldiers of the Iriſh army that cannot paſs into France at the firſt embarkment, and after they are cured, will order them ſhips to paſs into France, if they are willing to go.

19. That on the ſigning hereof, the general will ſend a ſhip expreſs to France; and that beſides, he will furniſh two ſmall ſhips of thoſe that are now in the river of Limerick, to tranſport two perſons into France that are to be ſent to give notice of this treaty, and that the commanders of the ſaid ſhips ſhall have orders to put a-ſhore at the next port of France where they ſhall make.

20. That all thoſe of the ſaid troops, officers, and others of what character ſoever, that would paſs into France, ſhall not be ſtopped upon the account of debt, or any other pretext.

21. If after ſigning this preſent treaty, and before the arrival of the fleet, a French packet-boat, or other tranſport-ſhip, ſhall arrive from France in any other part of Ireland, the general will order a paſſport, not only for ſuch as muſt go on board the ſaid ſhips, but to the ſhips to come to the neareſt port, to the place where the troops to be tranſported ſhall be quartered.

22. That after the arrival of the ſaid fleet, there ſhall be free communication and paſſage between it and the quarters of the aboveſaid troops; and eſpecially for all thoſe that have paſſes from the chief commanders of the ſaid fleet, or from Monſieur Tameron, the intendant.

23. In conſideration of the preſent capitulation, the two towns of Limerick ſhall be delivered and put into the hands of the general, or any other perſon he ſhall appoint, at the time and days hereafter ſpecified, viz. the Iriſh town, except the magazines and hoſpital, on the day of the ſigning of theſe preſent articles; and as for the Engliſh town, it ſhall remain, together with the iſland, and the free paſſage of Thomond-bridge, in the hands of thoſe of the Iriſh army that are now in the garriſon, or that ſhall hereafter come from the counties of Cork, Clare, Kerry, Sligo, and other places above-mentioned, until there ſhall be convenience found for their tranſportation.

24. And to prevent all diſorders that may happen between the garriſon that the general ſhall place in the Iriſh town, which ſhall be delivered to him, and the Iriſh troopers that ſhall remain in the Engliſh town and the iſland, which they may do, until the troops to be embarked on the firſt fifty ſhips ſhall be gone for France, and no longer; they ſhall intrench themſelves on both ſides, to hinder the communication of the ſaid garriſons; and it ſhall be prohibited on both ſides, to offer any thing that is offenſive; and the parties offending ſhall be puniſhed on either ſide.

25. That it ſhall be lawful for the ſaid garriſon to march out all at once, or at different times, as they can be embarked, with arms, baggage, drums beating,

ing, match lighted at both ends, bullet in mouth, colours flying, ſix braſs guns, ſuch as the beſieged will chuſe, two mortar pieces, and half the ammunition that is now in the magazines of the ſaid place; and for this purpoſe, an inventory of all the ammunition in the garriſon ſhall be made in the preſence of any perſon that the general ſhall appoint, the next day after theſe preſent articles ſhall be ſigned.

26. All the magazines of proviſions ſhall remain in the hands of thoſe that are now employed to take care of the ſame, for the ſubſiſtence of thoſe of the Iriſh army that will paſs into France; and if there ſhall not be ſufficient in the ſtores, for the ſupport of the ſaid troops, whilſt they ſtay in this kingdom, and are croſſing the ſeas, that upon giving up an account of their numbers, the general will furniſh them with ſufficient proviſions at the king's rates; and that there ſhall be a free market at Limerick, and other quarters, where the ſaid troops ſhall be; and in caſe any proviſions ſhall remain in the magazines of Limerick when the town ſhall be given up, it ſhall be valued, and the price deducted out of what is to be paid for the proviſion to be furniſhed to the troops on ſhip-board.

27. That there ſhall be a ceſſation of arms at land as alſo at ſea, with reſpect to the ſhips whether Engliſh, Dutch, or French, deſigned for the tranſportation of the ſaid troops, until they ſhall be returned to their reſpective harbours; and that, on both ſides, they ſhall be furniſhed with ſufficient paſſports both for ſhips and men: and if any ſea-commander, or captain of a ſhip, or any officer, trooper, dragoon, ſoldier, or any other perſon, ſhall act contrary to this ceſſation, the perſons ſo acting ſhall be puniſhed on either ſide, and ſatisfaction ſhall be made for the wrong that is done; and officers ſhall be ſent to the mouth of the river of Limerick, to give notice to the commanders of the Engliſh and French fleets of the preſent conjuncture, that they may obſerve the ceſſation of arms accordingly.

28. That for the ſecurity of the execution of this preſent capitulation, and of each article therein contained, the beſieged ſhall give the following hoſtages——— And the general ſhall give———

29. If before this capitulation is fully executed, there happens any change in the government, or command in the army, which is now commanded by General Ginckle, all thoſe that ſhall be appointed to command the ſame, ſhall be obliged to obſerve and execute what is ſpecified in theſe articles, or cauſe it to be executed punctually, and ſhall not act contrary on any account.

October 19. Baron De Ginckle.

No. L.

The Lord Lieutenant's Proteſt againſt the Houſe of Commons Claim to the Right of Originating Money Bills. (*Page* 200.)

(SIDNEY.)

WHEREAS at a parliament, holden at Drogheda in the tenth year of the reign of King Henry VII. an act was made for and concerning the order, manner, and form of parliaments, to be holden and kept in this realm of Ireland; and by another act, made at parliament, holden at Dublin in the third and fourth year of King Philip and Queen Mary, it was ordained, enacted and eſtabliſhed, that no parliament ſhould be ſummoned or holden within this realm of Ireland, until ſuch time as the lieutenant, lord deputy, lord juſtice or lords juſtices, chief governor or governors, or any of them, and the council of this realm for the time being, ſhould have certified the king and queen's majeſties, their heirs and ſucceſſors, under the great ſeal of this realm of Ireland, the conſiderations, cauſes and articles of ſuch act, proviſions and ordinances, as by them ſhould be thought meet and neceſſary, to be enacted and paſſed here by parliament; and ſhould have received again their majeſties' anſwer under the great ſeal of England, declaring their pleaſures, either for paſſing of the ſaid act, proviſions and ordinances, in the form and tenor as they ſhould be ſent into England, or elſe for change and alteration of them, or any part of the ſame: And that as well after any authority of licence ſent into this kingdom for holding a parliament, as alſo at all times after the ſummons, and during the time of any parliament, to be thereafter holden within this realm, the lieutenant, lord deputy, lord juſtice and lord juſtices, or other chief governor and council of this kingdom, for the time being, ſhould and might certify all ſuch other conſiderations, cauſes, tenors, proviſions and ordinances, as they ſhould further think good to be enacted and eſtabliſhed, at and in the ſaid parliament to the king and queen's majeſty, their heirs and ſucceſſors, under the great ſeal of this realm of Ireland; and ſuch conſiderations, cauſes, tenors, proviſions and ordinances, or any of them as ſhould be thereupon certified and returned into this realm, under the great ſeal of England, and no other, ſhould and might paſs and be enacted here, in any ſuch parliament within this

this ſaid realm of Ireland, in caſe the ſame conſideration, cauſes, tenors, proviſions and ordinances, or any of them, ſhould be agreed or reſolved on by the then eſtates of the ſaid parliament.

And whereas in this preſent ſeſſion of parliament, a bill intitled, an act for granting unto their majeſties an additional duty on beer, ale and other liquors, which had been certified by us the lord lieutenant of this kingdom and the council, unto the king and queen's majeſty, under the great ſeal of England, and by us ſent to the Houſe of Commons to be conſidered of in this preſent parliament, the ſaid commons having the ſaid bill lying upon the table, on the 27th day of the month of October laſt, did come to a vote thereupon, and reſolved, that it is the ſole and undoubted right of the ſaid commons to prepare heads of bills for raiſing money. And further, on the 28th day of the ſame October, a motion being made in the ſaid houſe, and the queſtion put, that a bill then on the table, which had likewiſe been regularly tranſmitted in the ſame form, intitled, an act for granting duties for one year, might be read; it paſſed in the negative: And the ſaid Houſe of Commons reſolved, that the ſaid bill be rejected by that houſe; and further reſolved, that it be entered in the journals of that houſe, that the reaſon why the ſaid bill was rejected, is, that the ſame had not its riſe in that houſe. All which reſolutions and proceedings appear in the journals of the Houſe of Commons, printed by their order and authority, by which votes and reſolutions, the ſaid Houſe of Commons do exclude their majeſties and the crown of England from the right of tranſmitting any bills for granting of money, or other aids to their majeſties, and their ſucceſſors: which recited votes, reſolutions and proceedings of the Houſe of Commons, being contrary to the ſaid recited acts of parliament, and the continued uſage and practice ever ſince the making thereof, and a great invaſion upon their majeſties prerogative, and the rights of the crown of England: We the lord lieutenant, as well to aſſert the rights of the crown of England, (whereof we are and ever will be moſt tender) in tranſmitting ſuch bills under the great ſeal of England, to be conſidered of in parliament, as to diſcharge the truſt repoſed in us, and prevent the inconveniences which may hereafter happen, in caſe theſe votes and reſolutions of the houſe of commons ſhould be made publick, or remain in their journals, without any contradiction or animadverſion, have thought it neceſſary, this day, in full parliament, to proteſt: And we do accordingly proteſt againſt the aforeſaid votes and reſolutions made by the Houſe of Commons, and entered in their journals,

and

and aſſert, proteſt and declare, that it is their majeſties' prerogative and the undoubted right of the crown of England, obſerving the forms in the ſaid ſeveral acts, to tranſmit bills under the great ſeal of England for granting of aids to their majeſties, their heirs and ſucceſſors, which ſaid bills, ſo tranſmitted, ought to be read and conſidered by the Houſe of Commons, in this kingdom: And therefore, the ſaid recited votes and proceedings of the Houſe of Commons, are contrary to the acts of parliament above mentioned, and the conſtant practice and uſages in all parliaments ſince the making thereof; and alſo highly derogatory to their majeſties' royal authority, and the rights of the crown of England.

By his excellency's ſpecial command,

C. WICH.

No. LI.

Report of the Commiſſioners upon the forfeited Lands. (*Page* 207.)

THE commiſſioners met with great difficulties in their enquiries, which were occaſioned chiefly by the backwardneſs of the people of Ireland to give any information, out of fear of the grantees, whoſe diſpleaſure in that kingdom was not eaſily borne; and by reports induſtriouſly ſpread and believed, that their enquiry would come to nothing. Nevertheleſs, it appeared to them, that the perſons outlawed in England, ſince the 13th February, 1688, on account of the late rebellion, amounted in number to fifty-ſeven, and in Ireland to three thouſand nine hundred and twenty-one. That all the lands in the ſeveral counties in Ireland belonging to the forfeited perſons, as far as they could reckon, made 1060792 acres, worth per annum 211,623*l.* which by computation of ſix years purchaſe for a life, and thirteen years for the inheritance, came to the full value of 268,138*l.* That ſome of thoſe lands had been reſtored to the old proprietors, by virtue of the articles of Limerick and Galloway, and by his majeſty's favour, and the reverſal of outlawries, and royal pardons, obtained chiefly by gratifications to ſuch perſon as had abuſed his majeſty's royal bounty and commiſſion. Beſide theſe reſtitutions, which they thought to be corruptly procured, they gave an account of ſeventy-ſix grants and cuſtodiums, under the great ſeal of Ireland; as to the Lord Rumney three grants now in being, containing 49517 acres; to the Earl of Albemarle in two

grants

grants 108,633 acres in poſſeſſion and reverſion; to William Bentinck, Eſq. Lord Woodſtock, 135,820 acres of land; to the Earl of Athlone two grants, containing 26,480 acres; to the Earl of Galloway on grant 36,148 acres, &c. wherein they obſerved, that the eſtates ſo mentioned did not yield ſo much to the grantees as they were valued at; becauſe as moſt of them had abuſed his majeſty in the real value of their eſtates, ſo their agents had impoſed on them, and had either ſold or lett the greateſt part of thoſe lands at an under value. But after all deductions and allowances, there yet remained 1,699,343*l.* 14*s.* which they lay before the commons as the groſs value of the eſtates ſince the 13th day of February, and not reſtored; beſides a grant under the great ſeal of Ireland, dated the 13th of May, 1695, paſſed to Mrs. Elizabeth Villiers, now Counteſs of Orkney, of all the private eſtates of the late King James, (except ſome part in grant to Lord Athlone,) containing 95,649 acres, worth per annum 25,995*l.* 18*s.* value: total 331,943*l.* 9*s.* concluding, that there was payable out of this eſtate, 2000*l.* per annum to Mrs. Godfrey for their lives; and that almoſt all the old leaſes determined in May, 1701; and then this eſtate would anſwer the value above mentioned.

Signed Francis Anneſley, James Hamilton,
John Trenchard, Henry Langford.

No. LII.

The ſeveral Arguments of Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice, at the Bar of the Houſe of Commons of Ireland, February 22d; and at the Bar of the Houſe of Lords, February 28th, 1703, againſt paſſing the Bill, intituled, An Act to prevent the further growth of Popery. (*P.* 213.)

THE Papiſts of Ireland obſerving, that the Houſe of Commons were preparing the heads of a bill to be tranſmitted to England to be drawn up into an act, to prevent the further growth of popery; and having in vain endeavoured to put a ſtop to it there, at its remittance back again to Ireland, preſented to the Houſe of Commons a petition in the names of Nicholas Lord Viſcount Kingſland, Colonel J. Brown, Colonel Burk, Colonel Nugent, Major Pat. Allen, Captain Arthur French, and other Roman Catholics of Ireland,

Ireland, praying to be heard by their counſel againſt the paſſing the ſaid bill, then under conſideration of the ſaid houſe; and to have a copy of the bill, and a reaſonable time to ſpeak to it before it paſſed. Which petition being referred to the committee of the whole houſe, to whom the conſideration of the ſaid bill was referred, it was ordered, that the petitioners ſhould have a copy of the ſaid bill, and be heard by their counſel, before the ſaid committee.

And in purſuance of that order, Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice, (the two firſt in their gowns as counſel for the petitioners in general, and the laſt without a gown, only as a petitioner in his private capacity), together with many others, upon Tueſday, the 22d of February, 1703, appeared at the bar of the ſaid Houſe of Commons, where Sir Theobald Butler firſt moved and acquainted the houſe, that, "by the "permiſſion of that houſe, he was come thither in behalf of himſelf, and the "reſt of the Roman Catholics of Ireland compriſed in the articles of Lime-"rick and Galway, to offer ſome reaſons, which he and the reſt of the peti-"tioners judged very material againſt paſſing the bill, intituled, An Act to "prevent the further growth of Popery; that by leave of the houſe, he had "taken a copy of the ſaid bill, (which he had there in his hand), and with "ſubmiſſion, looked upon it to tend to the deſtroying of the ſaid articles, "granted upon a moſt valuable conſideration, of ſurrendering the ſaid gar-"riſons, at the time when they had the ſword in their hands, and for any "thing that then appeared to the contrary, might have been in a condition "to hold out much longer, and when it was in their power to demand, and "make for themſelves ſuch terms, as might be for their then and future liberty, "ſafety and ſecurity: and that too, when the allowing ſuch terms were "highly advantageous to the government to which they ſubmitted, as well "for uniting the people that were then divided, quieting and ſettling the "diſtractions and diſorders of this then miſerable kingdom, as for the other "advantages the government would thereby reap in its own affairs, both at "home and abroad; when its enemies were ſo powerful both by ſea and "land, as to give doubt or interruption to its peace and ſettlement.

"That by ſuch their power, thoſe of Limerick did for themſelves, and "others therein comprized, obtain and make ſuch articles, as by which, all "the Iriſh inhabitants in the city and county of Limerick, and in the coun-"ties of Clare, Kerry, Cork, Sligo, and Mayo, had full and free pardon of

"and

" and for all attainders, outlawries, treaſons, miſpriſion of treaſons, felonies, " treſpaſſes, and other crimes whatever, which at any time from the beginning " of King James the Second, to the 3d of October, 1691, had been acted, " committed, or done by them, or any of them; and by which they and their " heirs were to be forthwith put in poſſeſſion of, and for ever poſſeſs, and en- " joy all and every of their freeholds and inheritance; and all their rights, " titles, and intereſts, privileges and immunities, which they and every of " them held and enjoyed, and by the laws in force were entituled unto, in " the reign of King Charles the Second, or at any time ſince, by the laws and " ſtatutes that were in force in that reign, &c. And therefore read ſo much " of the ſecond article of Limerick, as tended to that purpoſe." " That in " the reign of Charles the Second, the petitioners, and all that were intituled " to the benefit of thoſe articles, were in ſuch full and free poſſeſſion of their " eſtates, and had the ſame power to ſell, or otherwiſe to diſpoſe, or convey " them, or any other thing they enjoyed; and were as rightfully intituled to " all the privileges, immunities, and other advantages whatever, according to " the laws then in force, as any other ſubjects whatſoever; and which, there- " fore, without the higheſt injuſtice, could not be taken from them, unleſs " they had forfeited them themſelves.

" That if they had made any ſuch forfeiture, it was either before or after " the making the ſaid articles: if before, they had a full and free pardon for " that by the ſaid articles, &c. and therefore are not accountable by any law " now in force for the ſame, and for that reaſon not now to be charged with " it; and ſince they cannot be charged with any general forfeiture of thoſe " articles ſince, they at that ſame time remained as abſolutely intituled to all " the privileges, advantages, and benefits of the laws both already made, and " hereafter to be made, as any other of her majeſty's ſubjects whatſoever.

" That among all ſocieties there were ſome ill people: that by the 10th ar- " ticle of Limerick, the whole community is not to be charged with, nor for- " feited by the crimes of particular perſons.

" That there were already wholeſome laws in force ſufficient, and if not, " ſuch as were wanting might be made, to puniſh every offender according " to the nature of the crime: and in the name of God let the guilty ſuffer for " their own faults; but the innocent ought not to ſuffer for the guilty, nor " the whole for any particular. That ſurely they would not now (they had " tamely got the ſword out of their hands), rob them of what was then in

" their power to have kept; for that would be unjuſt, and not according to " that golden rule, to do as they would be done by, was the caſe reverſed, " and the contrary ſide their own.

" That the ſaid articles were firſt granted them by the general of the Eng- " liſh army, upon the moſt important conſideration of getting the city of Li- " merick into his hands, (when it was in a condition to have held out, till it " might have been relieved by the ſuccours then coming to it from France), " and for preventing the further effuſion of blood, and the other ill conſe- " quences which (by reaſon of the then diviſions and diſorders) the nation " then laboured under, and for reducing thoſe in arms againſt the Engliſh " government, to its obedience.

" That the ſaid articles were ſigned and perfected by the ſaid generals, and " the then lords juſtices of this kingdom, and afterwards ratified by their late " majeſties, for themſelves, their heirs and ſucceſſors, and have been ſince " confirmed by an act of parliament in this kingdom, viz. ſtat. 9. Guil. 3 " ſeſ. 4. chap. 27. (which he there produced and pleaded) and ſaid could not " be avoided without breaking the ſaid articles, and the public faith thereby " plighted to all thoſe compriſed under the ſaid articles, in the moſt ſolemn " and engaging manner, 'tis poſſible for any people to lay themſelves under, " and than which nothing could be more ſacred and binding. That therefore " to violate, or break thoſe articles, would on the contrary be the greateſt " injuſtice poſſible for any one people of the whole world to inflict upon ano- " ther, and which is contrary to both the laws of God and man.

" That purſuant to theſe articles, all thoſe Iriſh then in arms againſt the go- " vernment, did ſubmit thereunto, and ſurrendered the ſaid city of Limerick, " and all other garriſons then remaining in their poſſeſſion, and did take ſuch " oaths of fidelity to the king and queen, &c. as by the ſaid articles they were " obliged to, and were put into poſſeſſion of their eſtates, &c.

" That ſuch their ſubmiſſion was upon ſuch terms as ought now, and at all " times, to be made good to them; but that if the bill then before the houſe, " intituled, An Act to prevent the further growth of Popery, ſhould paſs into " a law, (which, ſaid he, God forbid!) it would be not only a violation of " thoſe articles, but alſo a manifeſt breach of the public faith, of which the " Engliſh had always been moſt tender in many inſtances, ſome of which he " then quoted; and that, in particular, in the preamble of the act before-

" mentioned,

" mentioned, made for confirmation of theſe articles, wherein there is a par-
" ticular regard and reſpect had to the public faith.

" That ſince the ſaid articles were thus under the moſt ſolemn ties, and for
" ſuch valuable conſiderations granted the petitioners, by nothing leſs than
" the general of the army, the lords juſtices of the kingdom, the king, queen,
" and parliament, the public faith of the nation was therein concerned,
" obliged, bound, and engaged, as fully and firmly, as was poſſible for one
" people to pledge faith to another; that therefore this parliament could not
" paſs ſuch a bill, as that intituled, An Act to prevent the further growth of
" Popery, then before the houſe, into a law, without infringing thoſe articles,
" and a manifeſt breach of the public faith; of which he hoped that houſe
" would be no leſs regardful and tender than their predeceſſors, who made
" the act for confirming thoſe articles, had been.

" That the caſe of the Gibeonites, 2 Sam. 21. 1. was a fearful example of
" breaking of public faith, which above 100 years after brought nothing leſs
" than a three year's famine upon the land; and ſtayed not till the lives of all
" Saul's family atoned for it.

" That even among the heathens, and moſt barbarous of nations, all the
" world over, the public faith had always been held moſt ſacred and binding,
" that ſurely it would find no leſs a regard in that auguſt aſſembly.

" That if he proved the paſſing that act, was ſuch a manifeſt breach of thoſe
" articles, and conſequently of the public faith, he hoped that honorable
" houſe would be very tender how they paſſed the ſaid bill before them into
" a law, to the apparent prejudice of the petitioners, and the hazard of bring-
" ing upon themſelves and poſterity, ſuch evils, reproach and infamy, as the
" doing the like had brought upon other nations and people.

" Now, that the paſſing ſuch a bill as that then before the houſe, to prevent
" the further growth of popery, will be a breach of thoſe articles, and conſe-
" quently of the public faith, I prove (ſaid he) by the following argument.

" The argument then is, (ſaid he) whatever ſhall be enacted to the preju-
" dice or deſtroying of any obligation, covenant or contract, in the moſt
" ſolemn manner, and for the moſt valuable conſideration entered into, is a
" manifeſt violation and deſtruction of every ſuch obligation, covenant and
" contract: but the paſſing that bill into a law, will evidently and abſolutely
" deſtroy the articles of Limerick and Galway, to all intents and purpoſes;
" and therefore the paſſing that bill into a law, will be ſuch a breach of thoſe

" articles, and conſequently of the public faith plighted for performing " thoſe articles, which remained to be proved.

" The *major* is proved; (ſaid he) for that whatever deſtroys or violates " any contract or obligation, upon the moſt valuable conſiderations, moſt " ſolemnly made and entered into, deſtroys and violates the end of every ſuch " contract or obligation: but the end and deſign of thoſe articles were, that all " thoſe therein compriſed, and every of their heirs, ſhould hold, poſſeſs, " and enjoy all and every of their eſtates of freehold and inheritance, " and all the rights, titles, and intereſt, privileges and immunities, which " they and every of them held, enjoyed, or were rightfully intituled to, in " the reign of King Charles the Second, or at any time ſince, by the " laws and ſtatutes that were in force in the ſaid reign in this realm: but that " the deſign of this bill, was to take away every ſuch right, title, intereſt, &c. " from every father being a papiſt, and to make the popiſh father, who, by " the articles and laws aforeſaid, had an undoubted right, either to ſell, or " otherwiſe at pleaſure to diſpoſe of his eſtate, at any time of his life, as he " thought fit, only tenant for life, and conſequently diſabled from ſelling, " or otherwiſe diſpoſing thereof, after his ſon or other heir ſhould become " proteſtant, though otherwiſe never ſo diſobedient, profligate, or extrava- " gant: ergo, this act tends to the deſtroying the end for which thoſe arti- " cles were made, and conſequently the breaking of the public faith plighted " for their performance.

" The *minor* is proved by the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 15th, 16th, " and 17th clauſes of the ſaid bill, all which (ſaid he) I ſhall conſider and " ſpeak to, in the order as they are placed in the bill.

" By the firſt of theſe clauſes, (which is the third of the bill) I that am " the popiſh father, without committing any crime againſt the ſtate, or the " laws of the land, (by which only I ought to be governed), or any other " fault; but merely for being of the religion of my fore-fathers, and that " which, till of late years, was the ancient religion of theſe kingdoms, contrary " to the expreſs words of the ſecond article of Limerick, and the public faith, " plighted as aforeſaid for their performance, am deprived of my inherit- " ance, freehold, &c. and of all other advantages, which by thoſe articles, " and the laws of the land, I am intituled to enjoy, equally with every other " of my fellow-ſubjects, whether proteſtant or popiſh. And though ſuch my " eſtate be even the purchaſe of my own hard labour and induſtry, yet I ſhall " not (though my occaſions be never ſo preſſing), have liberty (after my

" eldeſt

" eldeſt ſon, or other heir, becomes a proteſtant), to ſell, mortgage, or other-
" wiſe diſpoſe of, or charge it for payment of my debts; or have leave out
" of my own eſtate, to order portions for my other children; or leave a lega-
" cy, though never ſo ſmall, to my poor father or mother, or other poor rela-
" tions; but during my own life, my eſtate ſhall be given to my ſon, or other
" heir, being a proteſtant, though never ſo undutiful, profligate, extravagant,
" or otherwiſe undeſerving; and I that am the purchaſing father, ſhall be-
" come tenant for life only, to my own purchaſe, inheritance and freehold,
" which I purchaſed with my own money: and ſuch my ſon, or other heir,
" by this act, ſhall be at liberty to ſell, or otherwiſe at pleaſure to diſpoſe of my
" eſtate, the ſweat of my brow, before my face; and I that am the purchaſer,
" ſhall not have liberty to raiſe one farthing upon the eſtate of my own pur-
" chaſe, either to pay my debts, or portion my daughters, if any I have, or
" make proviſions for my other male children, though never ſo deſerving and
" dutiful: but my eſtate, and the iſſues and profits of it, ſhall, before my
" face, be at the diſpoſal of another, who cannot poſſibly know how to diſtin-
" guiſh between the dutiful and undutiful, deſerving or undeſerving. Is not
" this, gentlemen, (ſaid he) a hard caſe? I beſeech you, gentlemen, to con-
" ſider, whether you would not think it ſo, if the ſcale was changed, and the
" caſe your own, as it is like to be ours, if this bill paſs into a law.

" It is natural for a father to love the child, but we all know (ſays he) that
" children are but too apt and ſubject, without any ſuch liberty as this bill
" gives, to ſlight and neglect their duty to their parents; and ſurely ſuch an
" act as this, will not be an inſtrument of reſtraint, but rather encourage
" them more to it.

" It is but too common with the ſon, who has a proſpect of an eſtate, when
" once he arrives at the age of one and twenty, to think the old father too
" long in the way, between him and it, and how much more will he be ſubject
" to it, when by this act, he ſhall have liberty before he comes to that age,
" to compel and force my eſtate from me, without aſking my leave, or being
" liable to account with me for it, or out of his ſhare thereof, to a moiety of
" the debts, portions, or other incumbrances, with which the eſtate might
" have been charged, before the paſſing this act.

" Is not this againſt the laws of God and man? againſt the rules of reaſon
" and juſtice; by which all men ought to be governed? Is not this the only

" way

" way in the world, to make children become undutiful? and to bring the " grey head of the parent to the grave, with grief and tears.

" It would be hard from any man; but from a ſon, a child, the fruit of " my body, whom I have nurſt in my boſom, and tendered more dearly than " my own life, to become my plunderer, to rob me of my eſtate, to cut my " throat, and to take away my bread, is much more grievous than from any " other; and enough to make the moſt flinty of hearts to bleed, to think " on't. And yet this will be the caſe if this bill paſs into a law; which I " hope this honorable aſſembly will not think of, when they ſhall more ſeri- " rioufly conſider, and have weighed theſe matters.

" For God's ſake, gentlemen, will you conſider whether this is according to " the golden rule, to do as you would be done unto? And if not, ſurely you " will not, nay you cannot, without being liable to be charged with the moſt " manifeſt injuſtice imaginable, take from us our birth-rights, and inveſt " them in others before our faces.

" By the 4th clauſe of the bill, the Popiſh father is under the penalty of " 500*l.* debarred from being guardian to, or having the tuition or cuſtody of " his own child or children; but if the child pretends to be a Proteſtant, " though never ſo young, or incapable of judging of the principles of any " religion, it ſhall be taken from its own father, and put into the hands or " care of a Proteſtant relation, if any there be qualified as this act directs, " for tuition, though never ſo great an enemy to the Popiſh parent; and " for want of relations ſo qualified, into the hands and tuition of ſuch Pro- " teſtant ſtranger, as the court of Chancery ſhall think fit to appoint, who " perhaps may likewiſe be my enemy, and out of prejudice to me who am " the Popiſh father, ſhall infuſe into my child, not only ſuch principles of re- " ligion, as are wholly inconſiſtent with my liking, but alſo againſt the duty " which by the laws both of God and nature is due from every child to its " parents: And it ſhall not be in my power to remedy, or queſtion him for " it; and yet I ſhall be obliged to pay for ſuch education, how pernicious " ſoever. Nay, if a legacy or eſtate fall to any of my children, being minors, " I that am the Popiſh father ſhall not have the liberty to take care of it, " but it ſhall be put into the hands of a ſtranger; and though I ſee it con- " founded before my face, it ſhall not be in my power to help it. Is not " this a hard caſe, gentlemen? I am ſure you cannot but allow it to be a very " hard caſe.

" The

" The 5th clauſe provides, that no Proteſtant or Proteſtants, having any " eſtate real or perſonal, within this kingdom, ſhall at any time after the 24th " of March, 1703, intermarry with any Papiſt, either in or out of this king- " dom, under the penalties in an act made in the 9th of King William, " intituled, an act to prevent Proteſtants intermarrying with Papiſts, which " penalties, ſee in the 5th clauſe of the act itſelf.

" Surely, gentlemen, this is ſuch a law as was never heard of before, and " againſt the law of right, and the law of nations; and therefore a law " which is not in the power of mankind to make, without breaking through " the laws which our wiſe anceſtors prudently provided for the ſecurity of " poſterity, and which you cannot infringe, without hazarding the under- " mining the whole legiſlature, and encroaching upon the privileges of your " neighbouring nations, which it is not reaſonable to believe they will allow.

" It has indeed been known, that there hath been laws made in England, " that have been binding in Ireland: but ſurely it never was known, that " any law made in Ireland could affect England or any other country. But " by this act, a perſon committing matrimony (an ordinance of the Almighty) " in England, or any other part beyond the ſeas (where it is lawful both by " the laws of God and man ſo to do), if ever they come to live in Ireland, " and have an inheritance or title to any intereſt to the value of 500*l.* they " ſhall be puniſhed for a fact conſonant to the laws of the land where it was " committed. But, gentlemen, by your favor, this is what, with ſubmiſſion, is " not in your power to do: for no law that either now is, or that hereafter " ſhall be in force in this kingdom, ſhall be able to take cognizance of any " fact committed in another nation: nor can any one nation make laws for " any other nation, but what is ſubordinate to it, as Ireland is to England; " but no other nation is ſubordinate to Ireland; and therefore any laws made " in Ireland cannot puniſh me for any fact committed in any other nation, " but more eſpecially England, to whom Ireland is ſubordinate: and the " reaſon is, every free nation, ſuch as all our neighbouring nations are, by " the great law of nature, and the univerſal privileges of all nations, have an " undoubted right to make, and be ruled and governed by laws of their own " making: for that to ſubmit to any other, would be to give away their own " birth-right, and native freedom; and become ſubordinate to their neigh- " bours, as we of this kingdom, ſince the making of Poynings's act, have been,

" and

" and are to England; a right which England would never ſo much as en-
" dure to hear of, much leſs to ſubmit to.

" We ſee how careful our forefathers have been to provide that no man
" ſhould be puniſhed in one county (even of the ſame nation) for crimes
" committed in another county; and ſurely it would be highly unreaſon-
" able, and contrary to the laws of all nations in the whole world, to puniſh
" me in this kingdom, for a fact committed in England, or any other nation,
" which was not againſt, but conſiſtent with the laws of the nation, where it
" was committed. I am ſure there is not any law in any other nation of the
" world that would do it.

" The 6th clauſe of this bill is likewiſe a manifeſt breach of the ſecond of
" Limerick articles, for by that article, all perſons comprized under thoſe ar-
" ticles, were to enjoy, and have the full benefit of all the rights, titles, pri-
" vileges, and immunities whatſoever, which they enjoyed, or by the laws of
" the land then in force, were entitled to enjoy, in the reign of King Charles
" the Second. And by the laws then in force, all the Papiſts of Ireland had
" the ſame liberty, that any of their fellow ſubjects had, to purchaſe any
" manors, lands, tenements, hereditaments, leaſes for lives or for years, rents,
" or any other thing of profit whatſoever: but by this clauſe of this bill,
" every Papiſt or perſon profeſſing the Popiſh religion, after the 24th of
" March, 1703, is made incapable of purchaſing any manors, lands, tene-
" ments, hereditaments, or any rents or profits out of the ſame, or holding
" any leaſe of lives, or any other leaſe whatſoever, for any term exceeding
" thirty-one years, wherein a rent, not leſs than two-thirds of the improved
" yearly value, ſhall be reſerved, and made payable, during the whole term;
" and therefore this clauſe of this bill, if made into a law, will be a ma-
" nifeſt breach of thoſe articles.

" The 7th clauſe is yet of much more general conſequence, and not only
" a like breach of thoſe articles, but alſo manifeſt robbing of all the Roman
" Catholics of the kingdom of their birthright: for by thoſe articles, all
" thoſe therein comprized were (ſaid he) pardoned all miſdemeanors whatſo-
" ever, of which they had in any manner of way been guilty, and reſtored
" to all the rights, liberties, privileges, and immunities whatever, which, by
" the laws of the land, and cuſtoms, conſtitutions, and native birthright,
" they, any, and every of them, were, equally with every other of their fel-

" low

" low ſubjects entitled unto. And by the laws of nature and nations (as " well as by the laws of the land) every native of any country, has an un- " doubted right and juſt title to all the privileges and advantages, which ſuch " their native country affords: and ſurely no man but will allow, that by ſuch " a native right, every one born in any country, hath an undoubted right to " the inheritance of his father, or any other to whom he or they may be heir " at law: but if this bill paſs into a law, every native of this kingdom, that " is and ſhall remain a Papiſt, is, *ipſo facto*, during life, or his or their conti- " nuing a Papiſt, deprived of ſuch inheritance, deviſe, gift, remainder, or " truſt, of any lands, tenements, or hereditaments, of which any Proteſtant " now is, or hereafter ſhall be ſeized in fee-ſimple abſolute, or fee-tail, which " by the death of ſuch Proteſtant, or his wife, ought to deſcend immedi- " ately to his ſon or ſons, or other iſſue in tail, being ſuch Papiſt, and eighteen " years of age, or, if under that age, within ſix months after coming to that " age, ſhall not conform to the Church of Ireland, as by law eſtabliſhed; " and every ſuch deviſe, gift, remainder, or truſt, which, according to the " laws of the land, and ſuch native right, ought to deſcend to ſuch Papiſt, " ſhall, during the life of ſuch Papiſt (unleſs he forſake his religion), deſcend " to the neareſt relation that is a Proteſtant, and his heirs, being and conti- " nuing Proteſtants, as though the ſaid Popiſh heir and all other Popiſh re- " lations were dead, without being accountable for the ſame; which is no- " thing leſs than robbing ſuch Popiſh heir of ſuch his birthright; for no other " reaſon but his being and continuing of that religion, which, by the firſt of " Limerick articles, the Roman Catholics of this kingdom were to enjoy, as " they did in the reign of King Charles the Second; and then there was no " law in force, that deprived any Roman Catholic of this kingdom of any " ſuch their native birthright, or any other thing, which, by the laws of the " land then in force, any other fellow ſubjects were entitled unto.

" The 8th clauſe of this bill is to erect in this kingdom a law of gavel-kind, " a law in itſelf ſo monſtrous and ſtrange, that I dare ſay, this is the firſt time " it was ever heard of in the world; a law ſo pernicious and deſtructive to " the well-being of families and ſocieties, that in an age or two, there will " hardly be any remembrance of any of the ancient Roman Catholic families " known in this kingdom; a law which, therefore, I may again venture to " ſay, was never before known or heard of in the univerſe!

" There is, indeed, in Kent, a cuſtom, called the cuſtom of gavel-kind;

" but I never heard of any law for it till now; and that cuſtom is far dif-
" ferent from what by this bill is intended to be made a law; for there, and
" by that cuſtom, the father, or other perſon, dying poſſeſſed of any eſtate of
" his own acquiſition, or not entailed (let him be of what perſuaſion he will),
" may by will bequeath it at pleaſure: or if he dies without will, the eſtate
" ſhall not be divided, if there be any male heir to inherit it; but for want
" of male heir, then it ſhall deſcend in gavel-kind among the daughters, and
" not otherwiſe. But by this act, for want of a Proteſtant heir, enrolled as
" ſuch within three months after the death of ſuch Papiſt, to be divided,
" ſhare and ſhare alike, among all his ſons; for want of ſons among his
" daughters; for want of ſuch among the collateral kindred of his father;
" and in want of ſuch, among thoſe of his mother; and this is to take place
" of any grant, ſettlement, &c. other than ſale for valuable conſideration of
" money, really, *bona fide*, paid. And ſhall I not call this a ſtrange law?
" Surely it is a ſtrange law, which, contrary to the laws of all nations, thus
" confounds all ſettlements, how antient ſoever, or otherwiſe warrantable by
" laws heretofore in force, in this or any other kingdom.

" The 9th clauſe of this act is another manifeſt breach of the articles of
" Limerick, for by the 9th of thoſe articles, no oath is to be adminiſtered to,
" nor impoſed upon ſuch Roman Catholics, as ſhould ſubmit to the govern-
" ment, but by oath of allegiance, appointed by an act of parliament made in
" England, in the firſt year of the reign of their late majeſties King Wil-
" liam and Queen Mary, (which is the ſame with the firſt of thoſe appointed
" by the 10th clauſe of this act:) But by this clauſe none ſhall have the be-
" nefit of this act, that ſhall not conform to the church of Ireland, ſubſcribe
" the declaration, and take and ſubſcribe the oath of abjuration, appointed
" by the 9th clauſe of this act; and therefore this act is a manifeſt breach of
" thoſe articles, &c. and a force upon all the Roman Catholics therein
" compriſed, either to abjure their religion, or part with their birthrights,
" which, by thoſe articles, they were, and are, as fully and as rightfully en-
" titled unto as any other ſubjects whatever.

" The 10th, 11th, 12th, 13th, and 14th clauſes of this bill (ſaid he) relate
" to offices and employments, which the Papiſts of Ireland cannot hope for
" the enjoyment of, otherwiſe than by grace and favor extraordinary; and
" therefore do not ſo much affect them, as it does the Proteſtant Diſſenters,
" who (if this bill paſs into a law) are equally with the Papiſts deprived of
" bearing any office, civil or military, under the government, to which by

" right

" right of birth, and the laws of the land, they are as indiſputably entituled, " as any other Proteſtant brethren: and if what the Iriſh did in the late diſ- " orders of this kingdom, made them rebels, (which the preſence of a king, " they had before been obliged to own, and ſwear obedience to, gave them " a reaſonable colour of concluding it did not), yet ſurely the Diſſenters did " not do any thing to make them ſo; or to deſerve worſe at the hands of " the government, than other Proteſtants; but, on the contrary, it is more " than probable, that if they, (I mean the Diſſenters) had not put a ſtop to " the career of the Iriſh army at Enniſkillen and Londonderry; the ſettle- " ment of the government, both in England and Scotland, might not have " proved ſo eaſy, as it thereby did, for if that army had got to Scotland, (as " there was nothing at that time to have hindered them, but the bravery of " thoſe people, who were moſtly Diſſenters, and chargeable with no other " crimes ſince; unleſs their cloſe adhering to, and early appearing for the " then government, and the many faithful ſervices they did their country, " were crimes) I ſay (ſaid he) if they had got into Scotland, when they had " boats, barks, and all things elſe ready for their tranſportation, and a great " many friends there in arms waiting only their coming to join them, it is " eaſy to think, what the conſequence would have been to both theſe king- " doms; and theſe Diſſenters then were thought fit for command, both civil " and military, and were no leſs inſtrumental in contributing to the re- " ducing the kingdom, than any other Proteſtants: and to paſs a bill now, " to deprive them of their birth rights, (for thoſe their good ſervices) would " ſurely be a moſt unkind return, and the worſt reward ever granted to a " people, ſo deſerving. Whatever the Papiſts may be ſuppoſed to have de- " ſerved, the Diſſenters certainly ſtand as clean in the face of the preſent go- " vernment, as any other people whatſoever: and if this is all the return they " are like to get, it will be but a ſlender encouragement, if ever occaſion " ſhould require, for others to purſue their examples.

" By the 15th, 16th, and 17th clauſes of this bill, all Papiſts, after the " 24th of March, 1703, are prohibited from purchaſing any houſes or tene- " ments, or coming to dwell in Limerick or Galway, or the ſuburbs of ei- " ther, and even ſuch as were under the articles, and by virtue thereof, have " ever ſince lived there, from ſtaying there; without giving ſuch ſecurity " as neither thoſe articles, nor any law heretofore in force, do require, ex- " cept ſeamen, fiſhermen, and day-labourers, who pay not above forty ſhil- " lings a year rent, and from voting for the election of members of parlia-

" ment, unleſs they take the oath of abjuration, which, to oblige them to, " is contrary to the 9th of Limerick articles, which, as aforeſaid, ſays the " oath of allegiance, and no other, ſhall be impoſed upon them, and, unleſs " they abjure their religion, takes away their advowſons and rights of pre- " ſentation, contrary to the privilege of right, the laws of nations, and the " great charter of Magna Charta; which provides, that no man ſhall be " deſſeized of his birth-right, without committing ſome crime againſt the " known laws of the land in which he is born, or inhabits. And if there " was no law in force, in the reign of King Charles the Second, againſt theſe " things (as there certainly was not), and if the Roman Catholics of this " kingdom have not ſince forfeited their right to the laws that then were " in force (as for certain they had not) then with humble ſubmiſſion, all " the aforeſaid clauſes and matters contained in this bill, intituled, an act " to prevent the farther growth of Popery, are directly againſt the plain " words and true intent and meaning of the ſaid articles, and a violation " of the public faith, and the laws made for their performance; and what I " therefore hope (ſaid he) this honourable houſe will conſider accordingly."

Counſellor Malone and Sir Stephen Rice, made diſcourſes on the ſame ſide; the latter, not as a counſel, but as a petitioner, likely to be aggrieved by the paſſing of the ſaid act: but in the courſe of the reply to the arguments of thoſe gentlemen, it was objected, that they had not demonſtrated how and when (ſince the making of the article of Limerick) the Papiſts of Ireland had addreſſed the queen or government, when all other ſubjects were ſo doing, or had otherwiſe declared their fidelity and obedience to the queen.

It was (among other things) obſerved, that by a proviſo at the latter end of the ſecond of thoſe articles, none was to have or enjoy the benefit thereof, that ſhould refuſe to take the oath of allegiance.

That any right which the Papiſts pretended to be taken from them by the bill, was in their own power to remedy, by conforming; as in prudence, they ought to do; and that they ought not to blame any but themſelves.

The next day the bill was ordered to be engroſſed and ſent to the lords.

The petitioners having applied to the lords alſo, for leave to be heard by their counſel againſt the bill, the ſame was granted, and the ſame counſel, upon Monday, February 28th, appeared there, and offered ſuch-like arguments as they had made uſe of in the other houſe: they told their lordſhips,

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it had been objected by the commons, that the paſſing that bill would not be a breach of the articles of Limerick, as had been ſuggeſted; becauſe, the perſons therein comprized were only to be put into the ſame ſtate they were in the reign of Charles the Second, and becauſe, that in that reign there was no law in force which hindered the paſſing any other law thought needful for the future ſafety of the government.

That the commons had further ſayed, that the paſſing this bill was needful at preſent, for the ſecurity of the kingdom, and that there was not any thing in the articles of Limerick that prohibited their ſo doing.

It was admitted, on the part of the petitioners, that the legiſlative power cannot be confined from altering and making ſuch laws as ſhall be thought neceſſary, for ſecuring the quiet and ſafety of the government; that in time of war or danger, or when there ſhall be juſt reaſon to ſuſpect any ill deſigns to diſturb the public peace, no articles or previous obligations, ſhall tie up the hands of the legiſlators from providing for its ſafety, or bind the government from diſarming and ſecuring any, who may be reaſonably ſuſpected of favouring or correſponding with its enemies, or to be otherwiſe guilty of ill practices: "or indeed to enact any other law," ſaid Sir Stephen Rice, "that "may be abſolutely needful for the ſafety and advantage of the public; ſuch a "law cannot be a breach either of theſe, or any other like articles. But then "ſuch laws, ought to be in general, and ſhould not ſingle out, or affect, any "one particular part or party of the people, who gave no provocation to any "ſuch law and whoſe conduct ſtood hitherto unimpeached, ever ſince the "ratification of the aforeſaid articles of Limerick. To make any law that "ſhall ſingle any particular part of the people out from the reſt, and take "from them what had been confirmed to, and intailed upon them, will be "an apparent violation of the original inſtitution of all right, and an ill "precedent, to any that hereafter might diſlike either the preſent or any "other ſettlement, which ſhould be in their power to alter; the conſequence "of which is hard to imagine."

The lord chancellor having ſummed up all that had been offered at the bar, the houſe proceeded thereupon; the bill was read through; and, to the great mortification of that unhappy party, was paſſed, and upon the 4th of March obtained the royal aſſent.

No. LIII.

Proteſt upon the Schiſm Act in the Britiſh Houſe of Lords. P. 230.

WE cannot apprehend (as the bill recites) that great danger may enſue from the Diſſenters, to the church and ſtate, becauſe, firſt by law no Diſſenter is capable of a ſtation which can be ſuppoſed to render him dangerous.

2d. And ſince the ſeveral ſects of Diſſenters differ from each other as much as they do from the eſtabliſhed church, they can never form of themſelves a national church; nor have they any temptation to ſet up any one ſect among them: for in that caſe, all that the other ſects can expect, is only a toleration, which they already enjoy by the indulgence of the ſtate; and therefore, it is their intereſt to ſupport the eſtabliſhed church againſt any other ſect that would attempt to deſtroy it.

II. If, nevertheleſs, the Diſſenters were dangerous, ſeverity is not ſo proper and effectual a method to reduce them to the church, as a charitable indulgence, as is manifeſt by experience, there having been more Diſſenters reconciled to the church ſince the act of toleration, than in all time ſince the act of uniformity, to the time of the ſaid act of toleration, and there is ſcarce one conſiderable family in England in community with the Diſſenters: ſeverity may make hypocrites, but not converts.

III. If ſeverity could be ſuppoſed ever to be of uſe, yet this is not a proper time for it, while we are threatened with much greater dangers to the church and nation againſt which the Proteſtant-Diſſenters have joined, and are ſtill willing to join with us; by enforcing the laws againſt them, in a matter which of all others, muſt moſt ſenſibly grieve them, viz. the education of their children; which reduces them to a neceſſity either of breeding them in a way they do not approve, or of leaving them without inſtruction.

IV. This muſt be the more grievous to the Diſſenters, becauſe it was little expected from the members of the eſtabliſhed church, after ſo favourable an indulgence as the act of toleration, and the repeated declarations and profeſſions from the throne, and former parliaments, againſt all proſecution, which is the peculiar badge of the Roman church, which avows and practiſes this doctrine; and yet this has not been retaliated even upon the Papiſts, for all the laws made againſt them have the effects and juſt puniſhment of

treaſons,

treaſons, from time to time committed againſt the ſtate: but it is not pretended that this bill is deſigned as a puniſhment of any crime which the Proteſtant-Diſſenters have been guilty of againſt the civil government, or that they are diſaffected to the Proteſtant ſucceſſion, as by law eſtabliſhed, for in this their zeal is very conſpicuous.

V. In all the inſtances of making laws, of a rigid execution of the laws againſt Diſſenters, it is very remarkable, that the deſign was to weaken the church, and drive them into one common intereſt with the Papiſts, and to join them in meaſures tending to the deſtruction of it. This was the method ſuggeſted by Popiſh counſels, to prepare them for the two ſucceſſive declarations in the time of King Charles II. and the following one iſſued by King James II. to ruin all our civil and religious rights: and we cannot think that the arts and contrivances of the Papiſts to ſubvert our church, are proper means to preſerve it, eſpecially at a time when we are in more danger of Popery than ever, by the deſigns of the pretender, ſupported by the mighty power of the French king, who is engaged to extirpate our religion, and by great numbers in this kingdom, who are profeſſedly in his intereſt.

VI. But if the Diſſenters ſhould not be provoked by this ſeverity, to concur in the deſtruction of their country and the Proteſtant religion, yet we may juſtly fear they may be driven by this bill from England, to the great prejudice of our manufactures, for, as we gained them by the perſecution abroad, ſo we may loſe them by the like proceedings at home.

Laſtly, The miſeries we apprehend here, are greatly enhanced by extending this bill to Ireland, where the conſequences of it may be fatal; for ſince the number of Papiſts in that kingdom far exceeds the Proteſtants of all denominations together, and that the Diſſenters are to be treated as enemies, or at leaſt, as perſons dangerous to that church and ſtate, who have always, in all times, joined, and ſtill would join, with the members of that church, againſt the common enemy of their religion; and, ſince the army there is very much reduced, Proteſtants, thus unneceſſarily divided, ſeem to us to be expoſed to the danger of another maſſacre, and the Proteſtant religion in danger of being extirpated.

And we may farther fear that the ſects in Britain, whoſe national church is Preſbyterian, will not ſo heartily and zealouſly join with us in our defence, when they ſee thoſe of the ſame nation, ſame blood, and ſame religion, ſo hardly treated by us.

And

And this will ſtill be more grievous to the Proteſtant-Diſſenters in Ireland, becauſe whilſt the Popiſh prieſts are regiſtered, and ſo indulged by law, as that they exerciſe their religion without moleſtation, that the laws are by this bill enforced againſt them.

Somerſet, Dorcheſter, Scarborough, Nottingham, Hallifax, W. Lincoln, Dorſet and Middleſex, Sunderland, Bolton, Grafton, Cornwallis, Foley, Devonſhire, Lincoln, Somers, Montagu, Radnor, W. Aſaph, Townſhend, Orford, Rockingham, Shomberb and Lempſter, J. Banger, De Longueville, J. Landaff, Cowper.

No. LIV.

To the KING's *Moſt Excellent* MAJESTY.

The humble Addreſs of the Knights, Citizens, and Burgeſſes in Parliament aſſembled. (*P.* 238.)

MOST GRACIOUS SOVEREIGN,

YOUR majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, beſeech your majeſty to believe, that as none of your ſubjects ſuffered in their eſtates, lives, liberties, and properties, under a late Popiſh prince and miniſtry, in a greater degree than your Proteſtant ſubjects of this kingdom, ſo none can be more reſolutely determined, to the utmoſt of their power, to ſupport and defend your majeſty's rightful and lawful title to the crown againſt the Pretender and his adherents.

The ſupplies which we have already given, the aſſociation we have entered into, and the reſolution which your truly faithful commons have unanimouſly taken, upon the firſt intimation of the Pretender's being landed in North Britain, that whatever forces your majeſty ſhould think fit to raiſe, or whatever expence your majeſty ſhould think neceſſary for the defence of the kingdom, this houſe would enable your majeſty to make good the ſame, will, we hope be accepted by your majeſty as the moſt convincing proofs of our being entirely and affectionately devoted to your ſervice, and of our having no view of ſafety or happineſs but from your government and protection.

And

And as your loyal commons have already done, and reſolve ſtill to do, whatever may appear further neceſſary to defeat the deſigns of the Pretender and his friends, ſo they think themſelves indiſpenſably obliged, in diſcharge of that duty, to lay before your ſacred majeſty and their country the means by which the cauſe of the Pretender has been promoted in this kingdom, and to point out to your majeſty the chief authors of thoſe pernicious and dangerous counſels, which had brought your majeſty's ſucceſſion and the Proteſtant intereſt in this kingdom into the moſt imminent danger. Your faithful commons do therefore humbly take leave to acquaint your majeſty, that ſoon after the meeting of the late parliament in this kingdom, the then Houſe of Commons received information, that many Iriſh Papiſts had been, and continued to be daily ſhipped off from Dublin, and other ports, for the ſervice of the Pretender; which traitorous practice, and the remiſſneſs obſerved in diſcovering or preventing it, together with the countenance ſhewn to thoſe, who were remarkable for nothing but their diſaffection to your majeſty's ſucceſſion and the late happy revolution, made ſuch an impreſſion on that truly loyal Houſe of Commons, that they humbly addreſſed the late queen to remove one of the great ſupporters of the Pretender's intereſt in this kingdom out of her ſervice, and alſo ordered heads of a bill to be brought in to attaint the Pretender of high treaſon, which was ſoon after done; but the houſe was prevented proceeding thereon by an unſeaſonable prorogation, notwithſtanding they had, with great unanimity and chearfulneſs, granted ſuch ſupplies as were deſired for the ſupport of the government.

That parliament being prorogued in ſo unuſual a manner, and for no other reaſon, that your commons can apprehend, but the warm zeal they expreſſed for your majeſty's ſucceſſion, and their reſolution to enquire into, and, as far as in them lay, to prevent the deſigns of thoſe who endeavoured to defeat it; the next ſtep taken was to adviſe her late majeſty to break a great part of her army in this kingdom, which was accordingly done in an extraordinary manner, ſeveral regiments being broke, without any regard to their ſervices, or the dates of their commiſſion, and chiefly, as we conceive, for the ſteady adherence to your majeſty's intereſt and known averſion to the Pretender.

Your faithful commons do, therefore, humbly offer it to your majeſty as their unanimous opinion, that the perſons, who adviſed the irregular breaking of a great part of the army in this kingdom, immediately after the unſeaſonable prorogation of the late parliament, when heads of a bill to attaint the

Pretender were under conſideration of the then Houſe of Commons, were enemies to the Proteſtant ſucceſſion, and deſigned to bring in the Pretender and popery.

And as we have preſumed to inform your majeſty of ſome of the many ſteps, which were taken to accompliſh thoſe traitorous deſigns, ſo we cannot, without unfaithfulneſs to your majeſty, and thoſe whom we repreſent, forbear to acquaint your majeſty, that your commons, conſidering the whole conduct of the Right Honorable Arthur Earl of Angleſey, and the great influence he had in the management of the affairs in this kingdom, are humbly of opinion, that the ſaid Arthur Earl of Angleſey was one of the principal adviſers of her late majeſty to break a great part of the army, and prorogue the late parliament in this kingdom, and therein gave pernicious counſel to her majeſty, and is an enemy to your majeſty and the Proteſtant intereſt of Ireland.

Your loyal commons do, therefore, moſt humbly and earneſtly entreat your majeſty, that you will be graciouſly pleaſed, for the ſecurity of your government and this nation, to remove, at this critical juncture, the ſaid Arthur Earl of Angleſey from your council and office of one of the vice-treaſurers in this kingdom.

No. LV.

The Sentiments of a Church-of-England-Man with reſpect to Government, by Dr. JONATHAN SWIFT. (*P.* 241.)

WE look upon it as a very juſt reproach, though we cannot agree where to fix it, that there ſhould be ſo much violence and hatred in religious matters among men who agree in all fundamentals, and only differ in ſome ceremonies, or, at moſt, mere ſpeculative points. Yet is not this frequently the caſe between contending parties in a ſtate? For inſtance, do not the generality of *Whigs* and *Tories* among us profeſs to agree in the ſame *fundamentals*; their loyalty to the king, their abjuration of the *pretender*, the ſettlement of the crown in the Proteſtant line, and a revolution-principle? their affection to the church eſtabliſhed, with toleration of Diſſenters? Nay, ſometimes they go farther, and paſs over into each other's principles; the *Whigs* become great aſſerters of the prerogative, and the *Tories*, of the people's

ple's liberty; theſe crying down almoſt the whole ſet of biſhops, and thoſe defending them: ſo that the differences fairly ſtated, would be much of a ſort with thoſe in religion among us, and amount to little more than, *who ſhould take place*, or go *in and out firſt*, or *kiſs the king's hand:* and what are theſe but a few *court-ceremonies?* or, *who ſhould be in the miniſtry*; and what is that to the body of the nation, but a mere *ſpeculative point?* Yet I think it muſt be allowed, that no religious ſects ever carried their mutual averſions to greater heights than our ſtate-parties have done, who, the more to inflame their paſſions, have mixed religious and civil animoſities together; borrowing one of their appellations from the church, with the addition of *high* and *low*, how little ſoever their diſputes relate to the term, as it is generally underſtood.

I now proceed to deliver the ſentiments of *a church-of-England-man*, with reſpect to government.

He doth not think the church of England ſo narrowly calculated, that it cannot fall in with any regular ſpecies of government; nor doth he think *any one regular ſpecies of government more acceptable to God than another.* The three generally received in the *ſchools* have, all of them, their ſeveral perfections, and are ſubject to their ſeveral depravations. However, few ſtates are ruined by any defect in their inſtitution, but generally by the *corruption* of *manners*, againſt which the *beſt inſtitution* is *no longer a ſecurity*, and without which a very ill one may ſubſiſt and flouriſh; whereof there are two pregnant inſtances now in Europe. The firſt is, the *ariſtocracy* of Venice; which, founded upon the wiſeſt maxims, and digeſted by a great length of time, hath in our age admitted ſo many abuſes, through the degeneracy of the nobles, that the period of its duration ſeems to approach.

The other is the united republic of the *States-General*, where a vein of temperance, induſtry, parſimony, and a public ſpirit running through the whole body of the people, hath preſerved an infant commonwealth of an untimely birth and ſickly conſtitution, for above an hundred years, through ſo many dangers and difficulties, as a much more healthy one could have never ſtruggled againſt without thoſe advantages.

Where ſecurity of perſon and property are preſerved by laws, which none but the *whole* can repeal, there the great ends of government are provided for, whether the adminiſtration be in the hands of *one* or of *many*. Where any one *perſon* or *body* of men, who do not repreſent the *whole*, ſeize into

their hands the power in the laſt reſort, there is properly no longer a government, but what Ariſtotle and his followers call the *abuſe* and *corruption* of one. This diſtinction excludes arbitrary power, in whatever numbers; which, notwithſtanding all that Hobbes, Filmer, and others, have ſaid to its advantage, I look upon as a greater evil than *anarchy* itſelf; as much as a *ſavage* is in a happier ſtate of life, than a *ſlave* at the oar.

It is reckoned ill manners, as well as unreaſonable, for men to quarrel upon difference in opinion; becauſe that is uſually ſuppoſed to be a thing which no man can help in himſelf. But this I do not conceive to be an univerſal infallible maxim, except in thoſe caſes where the queſtion is pretty equally diſputed among the learned and the wiſe. Where it is otherwiſe, a man of tolerable reaſon, ſome experience, and willing to be inſtructed, may apprehend he has got into a wrong opinion, though the whole courſe of his mind and inclination would perſuade him to believe it true: he may be convinced that he is in an error, though he does not ſee where it lies, by the bad effects of it in the common conduct of his life, and by obſerving thoſe perſons, for whoſe wiſdom and goodneſs he hath the greateſt deference, to be of a contrary ſentiment. According to Hobbes's compariſon of *reaſoning* with *caſting up accounts*, whoever finds a miſtake in the *ſum total* muſt allow himſelf out, though, after repeated trials, he may not ſee in which article he has miſreckoned. I will inſtance in one opinion, which I look upon every man obliged in conſcience to quit, or in prudence to conceal; I mean, that whoever argues in defence of abſolute power in a ſingle perſon, though he offers the old plauſible plea, that it *is his opinion, which he cannot help, unleſs he be convinced*, ought in all free ſtates to be treated as the common enemy of mankind. Yet this is laid as a heavy charge upon the *clergy* of the two reigns before the *revolution*, who, under the terms of *paſſive obedience* and *non-reſiſtance*, are ſaid to have preached up the unlimited power of the prince, becauſe they found it a doctrine that pleaſed the court, and made way for their preferment. And I believe, there may be truth enough in this accuſation to convince us, that human frailty will too often interpoſe itſelf among perſons of the holieſt function. However, it may be offered in excuſe for the clergy, that in the beſt ſocieties there are ſome ill members, which a corrupted court and miniſtry will induſtriouſly find out and introduce. Beſides, it is manifeſt, that the greater number of thoſe who held and preached this doctrine, were miſguided by equivocal terms, and by perfect ignorance in the

the principles of government, which they had not made any part of their ſtudy. The queſtion originally put, and as I remember to have heard it diſputed in public ſchools, was this, *Whether, under any pretence whatſoever, it may be lawful to reſiſt the ſupreme magiſtrate?* which was held in the negative; and this is certainly the right opinion. But many of the clergy, and other learned men, deceived by a dubious expreſſion, miſtook the *object* to which *paſſive obedience* was due. By the *ſupreme magiſtrate* is properly underſtood the *legiſlative* power, which in all governments muſt be abſolute and unlimited. But the word *magiſtrate* ſeeming to denote a *ſingle perſon*, and to expreſs the *executive* power, it came to paſs, that the obedience due to the *legiſlature* was for want of knowing or conſidering this eaſy diſtinction, miſapplied to the *adminiſtration*. Neither is it any wonder, that the clergy or other well-meaning people ſhould fall into this error which deceived Hobbes himſelf ſo far, as to be the foundation of all the political miſtakes in his books; where he perpetually confounds the *executive* with the *legiſlative* power; though all well inſtituted ſtates have ever placed them in different hands; as may be obvious to thoſe, who know any thing of Athens, Sparta, Thebes, and other republics of Greece, as well as the greater ones of Carthage and Rome.

Beſides, it is to be conſidered, that when theſe doctrines began to be preached among us, the kingdom had not quite worn out the memory of that horrid *rebellion*, under the conſequences of which it had groaned almoſt twenty years. And a *weak prince*, in conjunction with a ſucceſſion of moſt proſtitute miniſters, began again to diſpoſe the people to new attempts, which it was, no doubt, the clergy's duty to endeavour to prevent; though ſome of them, for want of knowledge in temporal affairs, and others, perhaps, from a worſe principle, proceeded upon a topic, that, ſtrictly followed, would inſlave all mankind.

Among other theological arguments made uſe of in thoſe times in praiſe of monarchy, and juſtification of abſolute obedience to a prince, there ſeemed to be one of a ſingular nature. It was urged, that *heaven* was governed by a *monarch*, who had none to controul his power, but was abſolutely obeyed: then it followed, that earthly governments were the more perfect, the nearer they imitated the government in heaven. All which I look upon as the ſtrongeſt argument againſt *deſpotic* power that ever was offered; ſince no reaſon can poſſibly be aſſigned, why it is beſt for the world, that God Almighty

Almighty hath ſuch a power, which doth not directly prove that no mortal man ſhould ever have the like.

But though a *church-of-England-man* thinks every ſpecies of government equally *lawful*, he does not think them equally *expedient*; or for every country indifferently. There may be ſomething in the climate, naturally diſpoſing men towards one ſort of obedience; as it is manifeſt all over *Aſia*, where we never read of any commonwealth, except ſome ſmall ones on the weſtern coaſts eſtabliſhed by the Greeks. There may be a great deal in the ſituation of a country, and in the preſent *genius* of the people. It hath been obſerved, that the temperate climates uſually run into moderate governments, and the extremes into deſpotic power. It is a remark of Hobbes, that the youth of England are corrupted in their principles of government, by reading the authors of Greece and Rome, who writ under commonwealths. But it might have been more fairly offered for the honor of liberty, that while the reſt of the known world was over-run with the arbitrary government of ſingle perſons, *arts* and *ſciences* took their riſe, and flouriſhed, only in thoſe few ſmall territories where the people were *free*. And though *learning* may continue after *liberty* is loſt, as it did in Rome, for a while, upon the foundations laid under the commonwealth, and the particular patronage of ſome emperors, yet it hardly ever began under a *tyranny* in any nation: becauſe *ſlavery* is, of all things, the greateſt clog and obſtacle to *ſpeculation*. And, indeed, arbitrary power is but the firſt natural ſtep from *anarchy*, or the *ſavage life*; the adjuſting *power* and *freedom* being an effect and conſequence of maturer thinking: and this is no where ſo duly regulated as in a limited monarchy; becauſe I believe it may paſs for a maxim in ſtate, that *the adminiſtration cannot be placed in too* few *hands*, nor the *legiſlature in too* many. Now, in this material point the conſtitution of the Engliſh government far exceeds all others at this time on the earth; to which the preſent eſtabliſhments of the *church* doth ſo happily agree, that, I think, whoever is an enemy to *either*, muſt of neceſſity be ſo to *both*.

He thinks as our monarchy is conſtituted, an *hereditary* right is much to be preferred before *election*: becauſe the government here, eſpecially by ſome late amendments, is ſo regularly diſpoſed in all its parts, that it almoſt *executes* itſelf; and therefore, upon the death of a prince among us, the adminiſtration goes on without any rub or interruption. For the ſame reaſons, we have leſs to apprehend from the *weakneſs* or *fury* of our monarchs, who have

have ſuch wiſe councils to guide the firſt, and laws to reſtrain the other. And therefore this hereditary right ſhould be kept ſo ſacred, as never to break the ſucceſſion, unleſs where the preſerving it may endanger the conſtitution; which is not from any intrinſic merit or unalienable right in a *particular family*, but to avoid the conſequences that uſually attend the ambition of competitors, to which elective kingdoms are expoſed; and which is the only obſtacle to hinder them from arriving at the greateſt perfection that government can poſſibly reach. Hence appears the abſurdity of that diſtinction between a king *de facto* and one *de jure*, with reſpect to us. For every *limited* monarch is a king *de jure*; becauſe he governs by the conſent of the *whole*, which is authority ſufficient to aboliſh all precedent right. If a king come in by *conqueſt*, he is no longer a *limited* monarch; if he afterwards conſent to limitations, he becomes immediately king *de jure*, for the ſame reaſon.

The great advocates for *ſucceſſion*, who affirm it ought not to be violated upon any regard or conſideration whatſoever, do inſiſt much upon one argument, that ſeems to carry little weight. They would have it, that a *crown* is a prince's birth-right, and ought at leaſt to be as well ſecured to him and his poſterity, as the inheritance of any private man; in ſhort, that he has the ſame title to his kingdom, which every individual has to his property. Now, the conſequence of this doctrine muſt be, that as a man may find ſeveral ways to waſte, miſ-ſpend, or abuſe his patrimony, without being anſwerable to the laws; ſo a king may in like manner do what he will with *his own*; that is, he may ſquander and miſapply his revenues, and even alienate the crown, without being called to an account by his ſubjects. They allow ſuch a prince to be guilty indeed of much folly and wickedneſs; but for theſe he is *anſwerable to God*, as every private man muſt be that is guilty of miſmanagement in his own concerns. Now, the folly of this reaſoning will beſt appear, by applying in it a parallel caſe. Should any man argue, that a phyſician is ſuppoſed to underſtand his own art beſt; that the law protects and encourages his profeſſion; and therefore, although he ſhould manifeſtly preſcribe *poiſon* to all his patients, whereof they ſhould immediately die, he cannot be juſtly puniſhed, but is anſwerable only to God: or ſhould the ſame be offered in behalf of a divine, who would preach againſt religion and moral duties: in either of theſe two caſes every body would find out the ſophiſtry, and preſently anſwer, that although common men are not exactly ſkilled

ſkilled in the compoſition or application of medicines, or in preſcribing the limits of duty; yet the difference between *poiſons* and *remedies* is eaſily known by their effects; and common reaſon ſoon diſtinguiſhes between *virtue* and *vice*: and it muſt be neceſſary to forbid both theſe the further practice of their profeſſions, becauſe their crimes are not purely perſonal to the phyſician or the divine, but deſtructive to the public. All which is infinitely ſtronger in reſpect to a prince, in whoſe good or ill conduct the happineſs or miſery of a whole nation is included: whereas it is of ſmall conſequence to the public, farther than example, how any private perſon manageth his property.

But granting that the right of a lineal ſucceſſor to a crown were upon the ſame foot with property of a ſubject; ſtill it may at any time be transferred by the legiſlative power, as other properties frequently are. The ſupreme power in a ſtate can *do no wrong*; becauſe whatever that doth, is the action of all; and when the *lawyers* apply this maxim to the *king*, they muſt underſtand it only in that ſenſe, as he is adminiſtrator of the ſupreme power: otherwiſe it is not univerſally true, but may be controlled in ſeveral inſtances, eaſy to produce.

And theſe are the topics we muſt proceed upon to juſtify our excluſion of the young *pretender* in France; that of his ſuſpected birth being merely popular, and therefore not made uſe of, as I remember, ſince the revolution, in any ſpeech, vote, or proclamation, where there was occaſion to mention him.

As to the *abdication* of King James, which the advocates on that ſide look upon to have been forcible and unjuſt, and conſequently void in itſelf, I think a man may obſerve every article of the Engliſh church, without being in much pain about it. It is not unlikely, that all doors were laid open for his departure, and perhaps not without the privity of the Prince of Orange; as reaſonably concluding, that the kingdom might be better ſettled in his abſence. But to affirm he had any cauſe to apprehend the ſame treatment with his *father*, is an improbable ſcandal flung upon the nation by a few bigotted French ſcribblers, or the invidious aſſertion of a ruined party at home in the bitterneſs of their ſouls; not one material circumſtance agreeing with thoſe in 1648; and the greateſt part of the nation having preſerved the utmoſt horror for that ignominious *murder*. But whether his removal were cauſed by his own *fears*, or other men's *artifices*, it is manifeſt to me, that, ſuppoſing the throne to be vacant, which was the foot the nation went upon,

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the body of the people was thereupon left at liberty to chuſe what form of government they pleaſed, by themſelves, or their repreſentatives.

The only difficulty of any weight againſt the proceedings at the revolution, is an obvious objection, to which the writers upon that ſubject have not yet given a direct or ſufficient anſwer; as if they were in pain at ſome conſequences, which they apprehend thoſe of the contrary opinion might draw from it. I will repeat this objection as it was offered me ſome time ago; with all its advantages, by a very pious, learned, and worthy gentleman of the nonjuring party.*

The force of his argument turned upon this, that the laws made by the ſupreme power cannot otherwiſe than by the ſupreme power be annulled; that this conſiſting in England of a king, lords, and commons, whereof each have a negative voice, no two of them can repeal or enact a law, without conſent of the third; much leſs may any one of them be entirely excluded from its part of the legiſlature by a *vote* of the other two: that all theſe maxims were openly violated at the revolution; where an aſſembly of the *nobles* and *people*, not ſummoned by the king's writ, (which was an eſſential part of the conſtitution), and conſequently no lawful meeting, did, merely upon their own authority, declare the king to have abdicated the throne vacant; and gave the crown by vote to a *nephew*, when there were three children to inherit; though by the fundamental laws of the realm the next heir is immediately to ſucceed. Neither doth it appear, how a prince's *abdication* can make any other ſort of vacancy in the throne, than would be cauſed by his death; ſince he cannot abdicate for his children, (who claim their right of ſucceſſion by act of parliament), otherwiſe than by his own conſent, in form, to a bill from the two houſes.

And this is the difficulty that ſeems chiefly to ſtick with the moſt reaſonable of thoſe, who, from a mere ſcruple of conſcience, refuſe to join with us upon the revolution-principle; but for the reſt are, I believe, as far from loving arbitrary government as any others can be, who are born under a free conſtitution, and are allowed to have the leaſt ſhare of common good ſenſe.

In this objection there are two queſtions included, Firſt, Whether, upon the foot of our conſtitution, as it ſtood in the reign of the late King James, a king of England may be depoſed? The ſecond is, Whether the people of

* Mr. Nelſon, author of the Feaſts and Faſts of the Church of England.

England, convened by their own authority, after the king had withdrawn himſelf in the manner he did, had power to alter the ſucceſſion?

As for the firſt, it is a point I ſhall not preſume to determine; and ſhall therefore only ſay, that to any man who holds the negative, I would demand the liberty of putting the caſe as ſtrongly as I pleaſed. I will ſuppoſe a prince limited by laws like ours, yet, running into a thouſand caprices of cruelty, like Nero or Calligula; I will ſuppoſe him to murder his mother and his wife; to commit inceſt, to raviſh matrons, to blow up the ſenate, and burn his metropolis; openly to renounce God and Chriſt, and worſhip the Devil: theſe, and the like exorbitancies, are in the power of a ſingle perſon to commit without the advice of a miniſtry, or aſſiſtance of an army. And if ſuch a king as I have deſcribed, cannot be depoſed but by his own conſent in parliament, I do not well ſee how he can be *reſiſted*; or what can be meant by a *limited* monarchy; or what ſignifies the people's conſent in making and repealing laws, if the perſon who adminiſters hath no tie but conſcience, and is anſwerable to none but God. I deſire no ſtronger proof that an opinion muſt be falſe, than to find very great abſurdities annexed to it; and there cannot be greater than in the preſent caſe; for it is not a bare ſpeculation, that kings may run into ſuch enormities as are above mentioned; the practice may be proved by examples, not only drawn from the firſt Cæſars, or latter emperors, but many modern princes of Europe; ſuch as Peter the Cruel, Philip II. of Spain, John Baſilovits of Muſcovy: and, in our own nation, King John, Richard III. and Henry VIII. But there cannot be equal abſurdities ſuppoſed in maintaining the contrary opinion; becauſe it is certain, that princes have it in their power to keep a majority on their ſide by any tolerable adminiſtration, till provoked by continual oppreſſions; no man indeed can then anſwer where the madneſs of the people will ſtop.

As to the ſecond part of the objection, Whether the people of England, convened by their own authority, upon King James's precipitate departure, had power to alter the ſucceſſion.

In anſwer to this, I think it is manifeſt from the practice of the wiſeſt nations, and who ſeem to have had the trueſt notions of freedom, that when a prince was laid aſide for mal-adminiſtration, the *nobles* and *people*, if they thought it neceſſary for the public weal, did reſume the adminiſtration of the ſupreme power, (*the power itſelf having been always in them*), and did not only alter the ſucceſſion, but often the very form of government too: be-

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cauſe they believed there was no natural right in *one man* to *govern another*, but that *all* was by *inſtitution*, *force*, or *conſent*. Thus, the cities of Greece, when they drove out their tyrannical kings, either choſe others from a new family, or aboliſhed the kingly government, and became free ſtates. Thus the Romans, upon the expulſion of Tarquin, found it inconvenient for them to be ſubject any longer to the *pride*, the *luſt*, the *cruelty* and *arbitrary will* of *ſingle perſons*; and therefore, by *general conſent*, *entirely altered the whole frame of their government*. Nor do I find the proceedings of either, in this point, to have been condemned by any hiſtorian of the ſucceeding ages.

But a great deal hath been already ſaid by other writers upon this invidious and beaten ſubject; *therefore I ſhall let it fall*; *though the point is commonly miſtaken*, *eſpecially by the* lawyers; *who*, *of all others*, *ſeem leaſt to underſtand the nature of government in general*; *like under-workmen*, *who are expert enough at making a ſingle wheel in a clock*, *but are utterly ignorant how to adjuſt the ſeveral parts*, *or regulate the movements*.

To return, therefore, from this digreſſion: It is a *church-of-England-man's* opinion, that the freedom of a nation conſiſts in an abſolute *unlimited legiſlative power* wherein the *whole body of the people are fairly repreſented*, and in an *executive* duly *limited*; becauſe on this ſide likewiſe there may be dangerous degrees, and a very ill extreme. For when two parties in a ſtate are pretty equal in *power*, *pretenſions*, *merit*, and *virtue*, (for theſe two laſt are, with relation to parties and a court, quite different things), it hath been the opinion of the beſt writers upon government, that a prince ought not in any ſort to be under the guidance or influence of either; becauſe he declines by this means, from his office of preſiding over the *whole*, to be the head of a *party*: which, beſides the indignity, renders him anſwerable for all public miſmanagements, and the conſequences of them; and in whatever ſtate this happens, there muſt either be a weakneſs in the prince or miniſtry, or elſe the former is too much reſtrained by the nobles, or thoſe who repreſent the people.

To conclude: *A church-of-England-man may*, *with prudence and a good conſcience*, *approve the profeſſed principles of one party more than the other*, *according as he thinks they beſt promote the good of church and ſtate*; *but he will never be ſwayed by paſſion or intereſt to advance an opinion*, *merely becauſe it is* that *of the party he moſt approves*; *which one ſingle principle he looks upon as the root of all our civil animoſities*. *To enter into a party*, *as*

into an order of Friars, with ſo reſigned an obedience to ſuperiors, is very unſuitable both with the civil and religious liberties we ſo zealouſly aſſert. Thus the underſtandings of a whole ſenate are often inſlaved by three or four leaders on each ſide; who, inſtead of intending the public weal, have their hearts wholly ſet upon ways and means *how* to *get* or *to keep employments*. But, to ſpeak more at large, how has this *ſpirit of fact mingled itſelf with the maſs of the people, changed their nature and manners, and the very genius of the nation? broke all the laws of charity, neighbourhood, alliance, and hoſpitality, deſtroyed all ties of friendſhip, and divided families againſt themſelves?* And no wonder it ſhould be ſo, when, in order to find out the character of a perſon, inſtead of enquiring whether he be a man of virtue, honor, piety, wit, good ſenſe, or learning; the modern queſtion is only, Whether he be a *Whig* or a *Tory?* under which terms all good and ill qualities are included.

Now, becauſe it is a point of difficulty to chuſe an exact middle between two ill extremes, it may be worth enquiring, in the preſent caſe, which of theſe a wiſe and good man would rather ſeem to avoid. Taking therefore their own good and ill characters, with due abatements and allowances for partiality and paſſion, I ſhould think, that, in order to preſerve the conſtitution entire in church and ſtate, whoever hath a true value for both would be ſure to avoid the extremes of *Whig* for the ſake of the former, and the extremes of *Tory* on account of the latter.

I have now ſaid all that I could think convenient upon ſo nice a ſubject, and find I have the ambition with other common reaſoners, to wiſh at leaſt that both parties may think me *in the right*; which would be of ſome uſe to thoſe who have any virtue left, but are blindly drawn into the extravagancies of either, upon falſe repreſentations, to ſerve the ambition or malice of deſigning men, without any proſpect of their own. But if that is not to be hoped for, my next wiſh ſhould be, that both might think me *in the wrong*: which I would underſtand as an ample juſtification of myſelf, and a ſure ground to believe, that I have proceeded at leaſt with impartiality, and perhaps with truth.

No. LVI.

The late Duke of Leeds's Reaſons for proteſting againſt a Vote of the Houſe of Lords in England, which declared a Trial before the Houſe of Lords in Ireland to be coram non Judice. (*Page* 248.)

I. BECAUSE upon the conqueſt of Ireland by Henry the Second, he introduced the laws of England into that kingdom, and ſent them over the *modus tenendi parliamenta, in terminis*, the ſame with that of England: in which record it is ſaid, that ſuch things may be examined and corrected *in pleno parliamento & non alibi.*

II. Becauſe in the 30th year of King Henry the Third it was provided, that all the laws and cuſtoms which are enjoyed in England ſhall be in Ireland, and the ſaid lands ſhall be ſubject thereto, and governed thereby, *ſicut Dominus Johannes cum ultimo eſſet in Hibernia ſtatuit & fieri mandavit*; *& quod omnia brevia de communi jure quæ currunt in Anglia ſimiliter currant in Hibernia.*

III. Becauſe it appears by other antient records, *Quod terra Hiberniæ, intra ſe habet omnes & omnimodas curias prout in Anglia.*

IV. Becauſe King Edward the Third, in the 29th year of his reign, ordained, for the quiet and good government of the people of Ireland, that all caſes whatſoever, errors in judgments, records, and proceſs in the courts of Ireland, ſhall be corrected and amended in the parliament of Ireland.

V. Becauſe a conqueror, by the laws of England, and of nations, having power to introduce what laws he will in the conquered country: And Henry the Second, purſuant to that power, having introduced the laws of England, and particularly that of holding parliaments in Ireland, the Houſe of Lords in parliament in Ireland, may proceed to hear and determine judicially ſuch matters, which ſhall be brought before them, in the ſame manner as the lords in parliament in England.

VI. Becauſe, purſuant to many conceſſions made by King Henry the Second, King John, King Henry the Third, and other kings of England, the lords of parliament of Ireland have proceeded to correct and amend errors in judgment, and decrees in the courts of Ireland; as appears by the ſeveral precedents certified over to your lordſhips, and their judgments never before called

called in queſtion: many of them being irregular, and therefore preſumed to have been by a good and lawful juriſdiction; otherwiſe they would have been, by our anceſtors, who were zealous aſſertors of their rights, long before this, called in queſtion.

VII. The order declaring, that the appeal was, *coram non judice*, and null and void, will call all other judgments and decrees in queſtion, under which many eſtates have been purchaſed, ſettled, and enjoyed, which will be of fatal conſequences to many families, and create diſcontent and diſſatisfaction in that kingdom.

VIII. Becauſe the declaring the ſaid appeal to be *coram non judice*, and null and void, ſtrikes at and tends to the deſtruction of this houſe: for Ireland having *omnes & omnimodas curias prout in Anglia*, muſt include the high court of parliament; and being an exact picture of the high court of parliament in England, if they cannot judicially hear and determine appeals, writs of error, and impeachments, it may be from thence alledged we cannot here.

IX. Becauſe the peers of Ireland had little elſe left them but their judicature, which, if taken away, will be of little eſteem there, many of the peers of England having ſome of their titles of honor from that kingdom.

X. Becauſe this reſolution ſtrikes at and abridges the king's prerogative in Ireland; all appeals and writs of error in parliament being *coram rege in parliamento*. And therefore theſe words, *coram non judice*, take from the king the judicial power, which is given him there.

XI. Becauſe it is the glory of the Engliſh laws and the bleſſing attending the Engliſhmen, that they have juſtice adminiſtered at their doors, and not to be drawn, as formerly, to Rome by appeals, which greatly impoveriſhed the nation: and by this order, the people of Ireland muſt be drawn from Ireland hither, whenſoever they receive any injuſtice from the chancery there, by which means poor men muſt be trampled on, as not being able to come over to ſeek juſtice.

XII. The danger of altering, changing, or leſſening a conſtitution (for above five hundred years unſhaken, or ſo much as called in queſtion,) in any one thing, the cuſtom and uſage of courts being the law of courts, may occaſion the deſtruction of the whole. The judicial power of the Houſe of Peers of Ireland, in criminal cauſes, by way of impeachment, and otherwiſe, may, by the ſame reaſon, be called in queſtion, as their judicature in civil cauſes, which will encourage evil diſpoſed men, eſpecially thoſe in employment

ment in that kingdom, who are generally very arbitrary, to act wickedly: and the better we preſerve the conſtitution of Ireland, and of the Plantations dependent on England, the better we ſhall preſerve our own; and they will be a barrier to ours, to prevent any invaſions of theirs. And ſince the kings of England have, in all times in matters relating to the revenue, made their grants, by letters patent, and not only impowered the parliament of Ireland to hear, correct, reform, and amend them, but alſo acquieſced in their judgments, it ought not now to be queſtioned,

XIII. Becauſe this taking away the juriſdiction of the Houſe of Lords in Ireland, may be the means to diſquiet the Lords there, and diſappoint the King's affairs:

XIV. Becauſe the judicial power of the Houſe of Lords of Ireland is, in no reſpect, altered by an act of parliament. The ſtatute of the 10th of Henry 7th, cap. 4. called Poyning's Law, only directs a new form of paſſing bills into laws, but alters nothing of the judicial power; but neither allows or enables them to make the laws as they pleaſe: and this will as well hold againſt the juriſdiction of this Houſe, which ought not to be ſuffered.

LEEDS.

No. LVI.

A Letter from Primate BOULTER *to the Biſhop of London, relating to the Diſſenters Complaints of Tythes.* (*P.* 278.)

MY LORD, *Dublin, March* 13, 1728.

AS we have had reports here that the Iriſh gentlemen in London would have the great burthen of tithes thought one of the chief grievances, that occaſion ſuch numbers of the people of the north going to America, I have for ſome time deſigned to write to your lordſhip on that ſubject.

But a memorial lately delivered in here by the Diſſenting miniſters of this place, containing the cauſes of this deſertion, as repreſented to them by the letters of their brethren in the north, (which memorial we have lately ſent over to my lord lieutenant), mentioning the oppreſſion of the eccleſiaſtical courts about tithes as one of their great grievances: I found myſelf under a neceſſity

neceſſity of troubling your lordſhip on this occaſion with a true ſtate of that affair, and of deſiring your lordſhip to diſcourſe with the miniſtry about it.

The gentlemen of this country have ever ſince I came hither been talking to others, and perſuading their tenants, who complained of the exceſſiveneſs of their rents, that it was not the paying too much rent, but too much tithe that impoveriſhed them: and the notion ſoon took among the Scotch Preſbyterians, as a great part of the Proteſtants in the north are, who it may eaſily be ſuppoſed do not pay tithes with great chearfulneſs. And indeed I make no doubt but the landlords in England might with great eaſe raiſe a cry amongſt their tenants of the great oppreſſion they lye under by paying tithes.

What the gentlemen want to be at is, that they may go on raiſing their rents, and that the clergy ſhould ſtill receive their old payments for their tithes. But as things have happened otherwiſe, and they are very angry with the clergy, without conſidering that it could not happen otherwiſe than it has, ſince if a clergyman ſaw a farm raiſed in its rent e. g. from 10 to 20*l.* per annum, he might be ſure his tithe was certainly worth double what he formerly took for it. Not that I believe the clergy have made a proportionable advancement in their compoſition for their tithes to what the gentlemen have made in their rents. And yet it is upon this riſe of the value of tithes that they would perſuade the people to throw their diſtreſs.

In a conference I had with the Diſſenting miniſters here ſome weeks ago, they mentioned the raiſing the value of the tithes beyond what had been formerly paid, as a proof that the people were oppreſſed in the article of tithes. To which I told them, that the value of tithes did not prove any oppreſſion, except it were proved, that that value was greater than they were really worth, and that even then, the farmer had his remedy by letting the clergy take it in kind.

And there is the leſs in this argument, becauſe the fact is, that about the years 1694 and 1695, the lands here were almoſt waſte and unſettled, and the clergy in the laſt diſtreſs for tenants for their tithes, when great numbers of them were glad to let their tithes at a very low value, and that during incumbency, for few would take them on other terms; and as the country has ſince ſettled and improved, as thoſe incumbents have dropped off, the tithe of thoſe pariſhes has been conſiderably advanced without the leaſt oppreſſion, but I believe your lordſhip will think not without ſome grumbling.

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The ſame, no doubt, has happened where there have been careleſs or needy incumbents, and others of a different character that have ſucceeded them.

I need not mention to your lordſhip what I have been forced to talk to ſeveral here, that if a landlord takes too great a portion of the profits of a farm for his ſhare by way of rent, (as the tithe will light on the tenants ſhare) the tenant will be impoveriſhed: but then it is not the tithe but the increaſed rent that undoes the farmer. And indeed in this country, where I fear the tenant hardly ever has more than one third of the profits he makes of his farm for his ſhare, and too often but a fourth or perhaps a fifth part, as the tenant's ſhare is charged with the tithe, his caſe is no doubt hard, but it is plain from what ſide the hardſhip ariſes.

Nor need I take notice to your lordſhip of what I have been forced to talk very fully here, that if the land were freed from the payment of tithe, the tenant could not be the better for it, but the landlord, who would in that caſe raiſe his rent accordingly, and would probably receive 15 or 20*s.* for additional rent, where the clergyman now receives 10*s.* for tithe; and that it would be the ſame in proportion if the tithes were fixed to ſome modus below their real value, which I am apprehenſive the gentlemen may attempt to do by a bill next ſeſſions. As for the complaints of the oppreſſions in the eccleſiaſtical courts, your lordſhip knows the dilatorineſs and expenſiveneſs of ſuits there. And yet till within ſeven or eight years all ſuits for tithes, &c. were there; ſince that time by degrees the clergy have ſued, in caſes of conſequence, in the Exchequer; but for dues of ſmall value, they ſtill are ſued for there. But in the main nobody ſues in thoſe courts that can by fair means get any thing near his due; ſince, when the clergy have put perſons into thoſe courts, the defendants either give them all the delay and trouble they can, or elſe ſtand under contempt for never appearing, and let things go to the laſt extremity, and ſtand excommunicated; and poſſibly when a writ *de excommunicato capiendo* is taken out, and they find they have 7 or 8*l.* to pay, they run away; for the greateſt part of the occupiers of the land here are ſo poor, that an extraordinary ſtroke of 8 or 10*l.* falling on them is certain ruin to them.

I can aſſure your lordſhip that every viſitation I have held here, which is annually, the clergy have made as great complaints of the hardſhips put upon them by the people in getting in their tithes, eſpecially their ſmall dues, as the people can of any oppreſſion from the clergy. And to my knowledge

many of them have choſe rather to loſe their ſmall dues, than to be at a certain great expence in getting them, and at an uncertainty whether the farmer would not at laſt run away without paying any thing. And I can affirm to your lordſhip, that the laity here are as troubleſome and vexatious as they can be in England; and from time to time fight a cauſe of no great value through the biſhop's court, then through the archbiſhop's, and thence to the delegates, where the clergy ſue for what is most evidently their due.

I would not be underſtood by this to deny that any clergyman or farmer of tithes ever did a hard thing by the people, but that there is not frequent occaſion of complaint againſt them.

However laſt ſeſſions we paſſed a bill here for the more eaſy recovery of ſmall tithes, &c. which I believe will remove this cauſe of complaint, ſince I believe very few will ſpend ſome pounds to recover that in a ſpiritual court, which may be recovered for ſome ſhillings in another way.

Upon occaſion of the conference I had ſome weeks ago with the Diſſenting miniſters here, I have enquired of ſeveral of the clergy, that are underſtanding and fair men, who have aſſured me that as far as their knowledge reaches, they believe that generally the farmers do not pay more than two-thirds of the real value of their tithes.

Another thing they complain of in their memorial is, the trouble that has been given them about their marriages and their ſchool-maſters. As to this I told them, that for ſome time they had not been moleſted about their marriages; and that as to their ſchool-maſters, I was ſure they had met with very little trouble on that head, ſince I had never heard any ſuch grievance ſo much as mentioned till I ſaw it in their memorial.

Another matter complained of is the ſacramental teſt, in relation to which I told them, the laws were the ſame in England.

As for other grievances they mention, ſuch as raiſing the rents unreaſonably, the oppreſſion of juſtices of the peace, ſenechals, and other officers in the country, as they are no ways of an eccleſiaſtical nature, I ſhall not trouble your lordſhip with an account of them, but muſt deſire your lordſhip to talk with the miniſtry on the ſubject I have now wrote about, and endeavour to prevent their being prepoſſeſſed with any unjuſt opinion of the clergy, or being diſpoſed, if any attempt ſhould be made from hence to ſuffer us to be ſtript of our juſt rights.

I am, &c.

No.

No. LVII.

The Memorial of Dr. Lucas. (*Page* 304.)

To his Excellency William Earl of Harrington, Lord Lieutenant General and General Governor of Ireland.

MAY IT PLEASE YOUR EXCELLENCY!

THE love and duty I owe my ſovereign, and the regard I bear his governments and dominions, in general, thoſe of this my native country, in particular, which are moſt intimately and inſeparably connected and linked together, in one common bond of affection, intereſt and allegiance, prompt me to uſe all juſt and lawful means to obtain an effectual redreſs of the capital grievances of this kingdom, and city, which no good ſubject, or good governor can overlook or ſlight, conſiſtent with the principles of his moral, religious and political obligations to our ſyſtem of civil ſociety.

Theſe motives, which your excellency muſt be too wiſe and juſt to condemn, or diſcourage, firſt induced me to contend with my fraternity, for a reformation of my profeſſion in the years 1735, and 1741, and ſince, with my ſuperiors, for the reſtoration of the rights and liberties of the commons and citizens of this broken and reduced metropolis.

If your excellency will take the trouble of peruſing this and the following addreſs to the lords juſtices, with the dedication to the king, I flatter myſelf, you will ſee ſuch cauſes aſſigned for the courſes, I have taken, to obtain ſome redreſs of the heavy grievances of which I complain, that, I muſt hope, you will not only pardon the preſumption of once more addreſſing, or attempting to addreſs your excellency in this manner, but allow there is ſome degree of merit in ſtruggling through the many dangers and difficulties that have been oppoſed to me, for the bringing or endeavouring to bring ſuch important truths to the royal ear, as, if regarded muſt tend to the unſpeakable honor and advantage of the king and people of theſe realms, in the ſecurity and welfare of each of which, I look upon myſelf to be equally intereſted and concerned.

However, my Lord, as the ſame neceſſity which firſt urged me to lay our complaints before you, ſtill ſtrongly ſubſiſts, I ſhould be wanting in the duty of a citizen, and a ſubject, and fall ſhort of the character I have endeavoured to eſtabliſh in life, if I ſhould ſlacken in my juſt application to obtain a reſtora-

tion of our rights and liberties; and therefore, regardleſs of the manifold diſadvantages of ſtation, birth and education, under which I labor, and of the numberleſs miſrepreſentations made of me, by deſigning men, I preſume to make one effort more to bring the complaints of Dublin before my royal ſovereign; of the greatneſs and integrity of whoſe ſoul I am ſo fully convinced, that I am firmly perſuaded he wants but due information to redreſs the grievances of his ſubjects.

I am well aware, my lord, that ſome of thoſe great men, who have thought fit to repreſent me to your excellency, heretofore, as a madman, will now ſet me forth in more hateful colors. It is become much the faſhion, of late, to vilify me, to repreſent me as a riotous, tumultuous incendiary, a diſaffected perſon, a condemner of government, of magiſtracy, even of majeſty.

To acquit myſelf of theſe foul imputations, I muſt beg your excellency will permit me to lay before you a ſhort review of the courſe I have taken to obtain juſtice and law, the common benefits of the conſtitution of this my country.

When I firſt diſcovered the invaſions made on the rights and privileges of the commons and citizens of this city, I tried all juſt and moderate means to ſet things to rights within the city; and though the invaders gave me all manner of unjuſt, forcible, and cruel oppoſition, and have now ſcarce left ſo much of the traces of our conſtitution as might demonſtrate we had any, I ſtill preſerve the reſpect due to the magiſtracy of the city, though I can look upon it only as *de facto*, not *de jure*.

Failing of redreſs within the city courts, I had recourſe, with my fellows, to the courts of law, and though we were attended with no better ſucceſs there, I can defy mine enemies to ſhew the inſtance, in which I failed to pay due reſpect to the judges of our courts.

I have it is true, my lord, taken the benefits our conſtitution admits, of appealing againſt, or complaining of, the proceedings of ſome of theſe judges, to an higher power, to your excellency, as the repreſentative of his majeſty; whether or no the terms in which I did ſo, were wrong or injurious, I humbly ſubmit to your excellency's recollection.

One of the moſt ſenſible happineſſes of our ſyſtem of government is, that every perſon who does but think himſelf aggrieved by any branch of the ſubordinate adminiſtration, has the privilege of appealing, or complaining, to a ſuperior, in a regular gradation from one to another, even to the ſupreme magiſtrate.

magiſtrate. This is a privilege too ſacred for any loyal ſubject to give up, for any good governor to ſuppreſs.

When I firſt claimed the benefits of this privilege, and layed before your excellency the complaints of Dublin, it muſt be confeſſed, you heard me with patience, with humanity, with a tender feeling of the ſufferings of the king's ſubjects, and ſome pain for the ſhocks given our conſtitution. What unhappy miſrepreſentations of facts, or perſon, or what unauthoriſed arrogance or inſolence of ſervants, prevented your excellency's taking the ſteps in this affair, that your wiſdom and juſtice promiſed, or afterwards excluded me the acceſs to your excellency's preſence, I cannot take upon me to point out; but, as the ſame principles of juſtice and law bind alike the ſmall and the great; when I judged it expedient, and my bounden duty, to appeal to our ſovereign, I thought it neceſſary to let him ſee, that I had recourſe to the higheſt power here, before I preſumed to trouble his majeſty, which then, not before, gave me the ſubject's right to apply for relief to the throne.

I addreſſed the lords juſtices of this kingdom, in your excellency's abſence. I preſented them with the charter and dedication, which I now lay before your excellency, and prayed to have it tranſmitted to his majeſty; but their excellencies thought fit to decline granting my petition.

Thus your excellency may ſee, the ſame neceſſity ſtill ſubſiſts, the ſame principles prompt, and the ſame motives that before prevailed, ſtill ſtrongly induce me, with all reſpect and humility, to addreſs your excellency, and to ſuplicate you on behalf of myſelf, and the reſt of my ſuffering fellow-ſubjects and fellow-citizens, to forward the ſummary ſtate of our caſe in the following charter and dedication, to the royal preſence.

There is another reaſon, to me, no leſs cogent, for begging this favor with greater earneſtneſs of your excellency; my reputation is dearer to me than life; that is rigorouſly, ſeverely ſtruck at: The moſt violent, the moſt lawleſs, the moſt inhuman threats are daily uttered againſt me; for none other crime, that I know of, than that of complaining of public injuries, dangerous and deſtructive to the king and to his people. I have appealed to Cæſar. Shall Cæſar's ſervants obſtruct the laying my complaints before the throne? and even puniſh me for complaining? Shall this be done under the adminiſtration of a Stanhope? God forbid!

My Lord, to ſum up all my deſires and intentions in a few words; I only wiſh to diſcharge the end of my creation, in fulfilling the duty of a ſubject,

in

in every ſtation, to which it ſhall pleaſe all-wiſe, all-ruling Providence to call me, with due ſubmiſſion and ſubjection to every loyal and good governor and ſubordinate magiſtrate, and an equal right to oppoſe, by law, and to complain of the miſconduct of all thoſe, who endanger our conſtitution by invading the rights of the ſubject, or neglecting to diſcharge the duties of their ſtations.

If in all that I have hitherto attempted, with this intent, I have done wrong to any man, I am open to conviction, and ready to make the fulleſt atonement. Therefore, if I have advanced any thing repugnant to the principles of our government, or inconſiſtent with the rights and privileges of the ſubject, I humbly conceive my intentions ought to be conſidered, and I ſhould be properly examined, before the threatened weight and fury of power be let looſe upon me. It is not to be deemed beneath the dignity of good governors to inform active and well-meaning ſubjects of errors in their conduct; if ſuch can be made to appear in my tranſactions, I ſhall from the ſame principle, that I mean to advance truths, in my judgment, conducive to the happineſs of this city, and theſe kingdoms, as readily, as publicly, retract errors, or miſtakes.

My lord, I muſt beg your excellency's indulgence to make one declaration more. At a time, when miniſterial influence of court dependence is rather ſought than avoided, by men of independent fortunes, it may be ſuſpected, that one of my low ſphere may have ſome private or ſelfiſh views in thus attending upon your excellency. To obviate ſuch an imputation, I thus ſolemnly declare, that though I wiſh to be always well underſtood, and, upon occaſion, well heard, by the government; yet, even that, is only for the public good; becauſe, that for myſelf, I have nothing to aſk, nor any thing to fear from the higheſt powers; my ſole ambition is to diſcharge the duties of my ſtation. And, in ſo doing, I ſhall ever take care to approve myſelf, his majeſty's moſt unfeignedly loving and loyal ſubject, as well as,

May it pleaſe your excellency,

Your excellency's moſt dutiful

And moſt faithful humble ſervant,

C. LUCAS.

Dublin, October the 3d, 1749.

No. LVIII.

The Memorial of the Earl of Kildare. (*Page* 313.)

To his Moſt Serene and Auguſt Majeſty King George the Second, of Great Britain, France, and Ireland, King, Defender of the Faith, and ſo forth.

The moſt humble Memorial of James Fitzgerald, Earl of Kildare, Baron Offaly, Lord Leinſter in England, &c. and one of his Majeſty's Moſt Honorable Privy Council of the Kingdom of Ireland,

MOST HUMBLY REPRESENTETH,

THAT your memorialiſt is the eldeſt peer of the realm, by deſcent, as lineally ſprung from the ancient and auguſt blood of the noble Earl of Kildare, who came over under the invincible banner of your auguſt predeceſſor Henry the Second, when his arms conquered the kingdom of Ireland.

That your memorialiſt, on this foundation, has the greater preſumption to addreſs your auguſt majeſty, as his anceſtors have ever proved themſelves ſteady adherents to the conqueſt of that kingdom, and were greatly inſtrumental in the reduction thereof, by their money, intereſt, and forces.

That though they were firſt ſent over with letters patent, under Henry the Second's banner, to conquer that kingdom, yet by the inheritance of lands, by intermarriages with princeſſes of the kingdom, they became powerful, and might have conquered for themſelves, notwithſtanding which, their allegiance was ſuch, as that, on that ſovereign's mandate to ſtop the progreſs of war, we obeyed, and relinquiſhed our title of conqueſt, laid down our arms, and received that monarch with due homage and allegiance, reſigning our conqueſts as became ſubjects, and alſo prevailed with the ſovereign princes, biſhops, nobles, clergy, and gentry, to acknowledge him right and lawful ſovereign of Ireland, and of the ſeas, ſea-ports, and other domains of the kingdom.

That on this preſumption, your memorialiſt has, in the moſt humble manner, at the requeſt of the natives of Ireland, your majeſty's true liege ſubjects, not only the aborigines thereof, but the Engliſh colonies, ſent over by Henry the Second, Richard the Second, Elizabeth, Charles, Cromwell the Uſurper, William the Third of glorious memory, and other kings, your majeſty's predeceſſors,

deceſſors, and the conquerors of Ireland, made bold to lay before your majeſty the true ſtate of their ſeveral and reſpective grievances, a burden now become almoſt too heavy to bear.

And your memorialiſt was rather induced to lay this memorial at your auguſt majeſty's feet, as it was on good preſumption ſurmiſed, that all acceſs to your royal ear was ſhut up, and your liege ſubjects debarred the liberty of complaining, a right ever allowed to your majeſty's liege ſubjects of what degree or condition ſoever.

That no notice being taken of ſeveral remonſtrances heretofore made by your majeſty's liege ſubjects, it was humbly preſumed, that ſuch remonſtrances had been ſtopped, and debarred in their progreſs to your royal ear.

That your memorialiſt, at the requeſt of ſeveral thouſands of your liege ſubjects, as well the nobles as the clergy, the gentry, and commonalty of the kingdom, has ventured on this bold ſtep, for which he humbly craves your majeſty's pardon, as nothing but the diſtreſs of his countrymen, your moſt loyal ſubjects, could have drawn him to this preſumption.

That in general the face of your loyal kingdom of Ireland wears diſcontent, a diſcontent not coloured from caprice or faction, but purely founded on miniſterial miſapplication.

That though ſeveral perſons, particularly N. G. was called to account for the public money, which he had drawn out of the treaſury, and depoſited in the banks, yet this inquiſition came to nothing by the mediation of party, and the interpoſition of power.

That the Duke of Dorſet's ſon Lord George, though in high and lucrative employments already, not ſatisfied therewith, has reſtleſsly graſped at power, inſatiable in his acquiſitions.

That the primate, who is now on the pinnacle of honor, connected with the ſaid noble lord, has made uſe of his influence to inveſt himſelf of temporal power, and like a greedy churchman, affects to be a ſecond Wolſey in the ſenate.

That influences being ſo predominant, corruption ſo formidable, and elections ſo controlled by the mighty power of thoſe two ſtateſmen, your loyal kingdom of Ireland feels the ſad effects of it, and dreads this duumvirate as much as England did that of the Earl of Stafford and Archbiſhop Laud.

That your other miniſters, officers, ſubjects, and ſervants, being cut out of dignity

dignity and power by this formidable monopoly, can ſcarce perform the proper functions of their miniſtry, as all meaſures are determined by fatal and influenced majorities in the houſes.

That the citizens of Dublin have for a long time laboured under an unprecedented ſlavery in ſubjection to the bankers of adminiſtration, who act in a deſpotic manner, raiſing and diſpoſing the public revenues of the city, juſt as to them ſeems fitting.

That your majeſty's intereſt in the hearts of your loyal ſubjects is likely to be affected by thoſe arbitrary meaſures, as the landed intereſt is very much injured thereby, and as few care to repreſent their country in parliaments where a junto of two or three men diſconcert every meaſure taken for the good of the ſubject, or the cauſe of common liberty.

That your memorialiſt has nothing to aſk of your majeſty, neither place, civil or military, neither employment or preferment for himſelf or friends, and that nothing but his duty to your majeſty and his natural hatred to ſuch deteſtable monopoly, could have induced your memorialiſt to this preſumption,

Who is,
In all reſpects,
Your moſt loyal
And dutiful ſubject,
J. FITZGERALD.

No. LIX.

The Gentlemen who voted in Support of the Reſolutions. (*Page* 319.)

[Marked thus,* ſpoke in the Debate.]

Tellers for the Ayes.

Lord Moore, Lieutenant Colonel of Horſe.
*Edmond Sexton Pery, Eſq.

Hon. Hugh Skeffington, Lieutenant of Horſe
James Smyth, Eſq. Collector of Dublin
Charles O'Neile, Eſq.
William Richardſon, Eſq.
*William Brownlow, Eſq.
Hon. John Caulfield, Eſq.

Arthur Upton, Eſq.
James Hamilton, Eſq.
Sir Richard Woleſley, Bart.
*Lord Newtown
Hon. Barry Maxwell
John Cramer, Eſq.
Richard Ponſonby, Eſq.
Denham Jephſon, Eſq.
William Forward, Eſq.
Abraham Creichton, Eſq.
Bernard Ward, Eſq.
Alexander Hamilton, Eſq.
Robert Scott, Eſq.
Matthew Ford, Eſq.
Francis Leigh, Eſq.
Sir Charles Burton, Knt.
*Philip Tiſdal, Eſq. Solicitor General, and Judge of the Prerogative
Edward Bolton, Eſq.
Hon. John Butler, Eſq. Clerk of the Pipe
Henry Brooke, Eſq.
*Nicholas Arehall, Eſq.
*Robert French, Eſq.
Robert Fitzgerald, Eſq. Judge Advocate
Sir William Founds, Bart. Packer, Searcher, and Gauger, in the port of Cork
Maurice Keating, Eſq.
John Bourke, Eſq. Commiſſioner of the Revenue
Walter Weldon, Eſq.
Richard Dawſon, Eſq.
James Agar, Eſq. ſenior
Hon. Redmond Morris, Eſq.
Hon. Joſeph Leeſon, Eſq.
Edward Herbert, Eſq.
Hon. Richard Ponſonby, Eſq. Secretary to the Commiſſioners
Henry Lyons, Eſq.
Sir William Parſons, Bart.
Richard Trench, Eſq.
Boleyn Whitney, Eſq. Commiſſioner of Appeals
John Pomeroy, Eſq. Lieutenant Colonel of Foot
Hugh Crofton, Eſq.
Charles Smyth, Eſq.
Hercules Langford Rowley, Eſq.
Richard Edgworth, Eſq.
Right Hon. William Henry Forteſcue, Eſq. Privy Counſellor
John Ruxton, Eſq.
Thomas Forteſcue, Eſq.
James Forteſcue, Eſq.
Thomas Teniſon, Eſq. Commiſſioner of Appeals
Anthony Forſter, Eſq.
Townley Bellfore, Eſq.
Sir Thomas Taylor, Bart.
Richard Moore, Eſq.
Georges Lowther, Eſq.
Henry Monck, Eſq.
Thomas Dawſon, Eſq.
Jonah Barrington, Eſq. Penſioner
Robert Cunningham, Eſq. Adjutant-General
Nehemiah Donellan, Eſq.
Right Hon. Sir Thomas Pendergaſt, Poſt-Maſter General and Privy Councellor
Kinſmill Penefather, Eſq.

William

William Stewart, Eſq.
Thomas Knox, Eſq.
Nehemiah Donellan, Eſq. junior
Richard Georges, Eſq.
John Rochfort, Eſq.
Robert Percival, Eſq.
Andrew Ram, Eſq.
*Thomas Le Hunte, Eſq.
John Leigh, Eſq.
James Stopfort, Eſq.
Charles Tottenham, Eſq. Surveyor General of Exciſe
Hon. Henry Loftus, Eſq.
Thomas Loftus, Eſq.
Walter Hore, Eſq. Judge Advocate
Richard Chapel Whaley, Eſq.
John Strafford, Eſq.
Stephen Trotter, Eſq.

Againſt the Queſtion, and for Stifling the Reſolutions from appearing before His Majeſty.

Tellers for Noes.

*Sir Richard Cox, Bart. Penſioner
Thomas Carter, Eſq. junior.

Edward Smyth, Eſq.
Hon. Hungford Skeffington, Penſioner
Sir Richard Butler, Bart.
Right Hon. Richard Rigby, Principal Secretary
Sir Edward Obrien, Bart.
Murrough Obrien, Eſq.
Emanuel Pigot, Eſq.
Hon. James Obrien, Eſq. Collector of Cork
Bellingham Boyle, Eſq. Penſioner
Sir John Freke, Bart.
Lord Limerick, Chief Remembrancer
John Magill, Eſq.
William Harward, Eſq.
Edward Barry, Eſq. State Phyſician
General Dilkes, Governor of the Hoſpital
John Lyſaght, Eſq. junior
Andrew Knox, Eſq.
Sir Ralph Gore St. George, Bart.
Right Hon. Sir Arthur Gore, Bart. Privy Counſellor
Michael Clarke Eſq. Examiner of Exciſe
Francis Pier Burton, Eſq.
Thomas Montgomery, Eſq.
William Cooper, Eſq.
John Graham, Eſq.
Robert Standford, Eſq. Captain of Horſe
John Eyre, Eſq.
Henry Bingham, Eſq. Penſioner
William Croſby, Eſq.
Sir Kildare Burrowes, Bart.
Robert Harman
Agmondiſham Veſey, Eſq. Accomptant General

James Agar, Eſq.
Ralph Gore, Eſq. Penſioner
*Warden Flood, Eſq. Attorney General
John Gore, Eſq. Counſel to the Commiſſioners
Edmond Malone, Eſq. Counſellor at Law
William Scot, Eſq. Prime Serjeant
Alexander Neſbit, Eſq. Penſioner
Anthony Marlay, Eſq. Commiſſioner of Appeals, and Penſioner
Henry Mitchel, Eſq.
Hon. Mr. Weſtely
General Bligh, Colonel of a Regiment of Horſe
Richard Hamilton, Eſq.
Nathaniel Clements, Eſq. Deputy Vice Treaſurer
Alexander Montgomery, Eſq.
Bartholomew William Gilbert, Eſq.
Marcus Patterſon, Eſq. Serjeant at Law
William Henry Dawſon, Eſq.
Henry Sandford, Eſq.
Thomas Mahon, Eſq.
Frederick Gore, Eſq.
Galbraith Lowry, Eſq.
Frederick Gore, Eſq.
St. George Richardſon, Eſq. Lieutenant of Horſe
Aland Maſon, Eſq.
Lord Beresford
Shapland Carew, Eſq.
Lord Boyle
Sir Henry Cavendiſh, Bart. Teller of the Exchequer
*Right Hon. Anthony Malone, Chancellor of the Exchequer, and Privy Counſellor
Guſtavus Lambert, Eſq. Collector of Exciſe
Lord Forbes, Colonel of Foot
Richard Malone, Eſq. Serjeant at Law
Hon. Thomas Southwell, Eſq. Penſioner
Charles Gardiner, Eſq. Surveyor General of the Cuſtoms in Ireland.

No. LX.

Exhortation of the Roman Catholic Clergy of Dublin, read from their Altars on the Second of October, 1757. (*P.* 320.)

(From the Dublin Journal of October 4th, 1757.)

IT is now time, Chriſtians, that you return your moſt grateful thanks to Almighty God, who, after viſiting you with a ſcarcity, which approached near unto a famine, has been graciouſly pleaſed, like a merciful father, to hear

hear your prayers, and feed you with a plentiful harveſt; nor ought you to forget thoſe kind benefactors, who, in the ſevereſt times, mindful only of the public good, generouſly beſtowed, without any diſtinction of perſons, thoſe large charities, by which thouſands were preſerved, who otherwiſe muſt have periſhed the victims of hunger and poverty. We ought eſpecially to be moſt earneſt in our thanks to the chief governors and magiſtrates of the kingdom, and of this city in particular, who, on this occaſion, proved the fathers and ſaviours of the nation. But as we have not a more effectual method of ſhewing our acknowledgment to our temporal governors, than by an humble, peaceful, and obedient behaviour; as hitherto, we earneſtly exhort you to continue in the ſame happy and Chriſtian diſpoſition, and thus, by degrees, you will entirely efface in their minds thoſe evil impreſſions, which have been conceived ſo much to our prejudice, and induſtriouſly propagated by our enemies. A ſeries of more than ſixty years ſpent, with a pious reſignation, under the hardſhips of very ſevere penal laws, and with the greateſt thankfulneſs for the lenity and moderation, with which they were executed, ever ſince the acceſſion of the preſent royal family, is certainly a fact which muſt outweigh, in the minds of all unbiaſſed perſons, any miſconceived opinions of the doctrine and tenets of our holy church.

You know that it has always been our conſtant practice, as miniſters of Jeſus Chriſt, to inſpire you with the greateſt horror for thefts, frauds, murders, and the like abominable crimes; as being contrary to the laws of God and nature, deſtructive of civil ſociety, condemned by our moſt holy church, which, ſo far from juſtifying them on the ſcore of religion, or any other pretext whatſoever, delivers the unrepenting authors of ſuch criminal practices over to Satan.

We are no leſs zealous than ever in exhorting you to abſtain from curſing, ſwearing, and blaſpheming; deteſtable vices, to which the poorer ſort of our people are moſt unhappily addicted, and which muſt at one time or other bring down the vengeance of heaven upon you in ſome viſible puniſhment, unleſs you abſolutely refrain from them.

It is probable, that, from hence, ſome people have taken occaſion to brand us with this infamous calumny, that we need not fear to take falſe oaths, and conſequently to perjure ourſelves; as if we believed that any power upon earth could authoriſe ſuch damnable practices, or grant diſpenſations for this purpoſe. How unjuſt and cruel this charge is, you know by our inſtructions

ſtructions to you both in public and private, in which we have ever condemned ſuch doctrines, as falſe and impious. Others, likewiſe, may eaſily know it from the conſtant behaviour of numbers of Roman Catholics, who have given the ſtrongeſt proofs of their abhorrence of thoſe tenets, by refuſing to take oaths, which, however conducive to their temporal intereſt, appeared to them entirely repugnant to the principles of their religion.

We muſt now intreat you, dear Chriſtians, to offer up your moſt fervent prayers to the Almighty God, who holds in his hands the hearts of kings and princes, beſeech him to direct the counſels of our rulers, to inſpire them with ſentiments of moderation and compaſſion towards us. We ought to be more earneſt, at this juncture, in our ſupplications to heaven; as ſome very honorable perſonages have encouraged us to hope for a mitigation of the penal laws. Pray then the Almighty to give a bleſſing to theſe their generous deſigns, and to aid their counſels, in ſuch a manner, that, whilſt they intend to aſſiſt us, like kind benefactors, they may not, contrary to their intentions, by miſtaking the means, moſt irretrievably deſtroy us.

To conclude, be juſt in your dealings, ſober in your conduct, religious in your practice, avoid riots, quarrels, and tumults; and thus you will approve yourſelves good citizens, peaceable ſubjects, and pious Chriſtians.

No. LXI.

Letter of Mr. O'Conor *to Dr.* Curry. (*P.* 320.)

My dear Friend,

MY neighbour, or rather a great man in my neighbourhood, the Biſhop of Elphin, has been of late very inquiſitive about the Biſhop of Ferms's bleeding Iphigenia, in hopes, I ſuppoſe, of throwing ſome dirt at us this ſeſſion out of our own dunghills. I know enough of this book out of Walſh's, to think that you as well as I, are of Walſh's ſide of the queſtion, in condemning the proceedings at Waterford, Jameſtown, and Galway; and in declaring that the war of the confederate Catholics was juſt and neceſſary; they fought againſt unprincipled regicides, and his lordſhip's abuſe will tend ultimately to make ſuch enemies leſs odious to mankind. In the mean time, you and all of you, are as paſſively ſilent as ſheep before the ſhearer; you are of opinion, I ſuppoſe, that it is not juſtice due to all parties to ſhew by what means and by whoſe means, ſuch evils

evils were brought upon us as operate to this day. This Harris's inſolence is ſeaſoned for him by an opinion derived from your ſilence, that he has defeated us all. For my part, were I you, and had I but a pebble, I would caſt it at ſuch an illiberal dog; nay, at every Iriſhman, who would be ſo baſe as not to be aſhamed to mangle the corpſe of the fallen, or to rivet the fetters of the oppreſſed.

But alas! we are a people truly fallen, or we would co-operate with each other ſyſtematically, in counteracting the proceedings of the parties that are united in nothing but in a league againſt us. They offer as a boon, a regiſtry bill, which is evidently calculated to extirpate our very remains. Nothing can be better known, than that our ſpiritual œconomy cannot be exerciſed without the ſpiritual juriſdiction of our biſhops. Yet, the juriſdiction of Catholic biſhops is totally overturned by this bleſſed boon, the intent of which is therefore to deſtroy Popery by Popery itſelf.

The difference between Queen Ann's Regiſtery Bill and this one, is, that the former was too penal to execute itſelf. But the latter is far from being ſo; it avails itſelf of our moſt deſpotic paſſions to deſtroy our beſt principles.

Let us therefore draw up a ſolemn appeal, to be publiſhed in the Foreign Gazettes, which will acquit us in the face of Europe as men aggrieved merely on account of honeſt attachments to our principles. This will be of uſe to us in the day of exile; for I ſee now that there is no remedy but emigration. I can never think of this legal annihilation of epiſcopal authority, without alternate emotions of anger and dejection. I am moved to indignation when told, that, after this bill paſſes, the penal clauſes ſhall be as little enforced as thoſe already exiſting. Vain preſumption! This penal law is calculated to execute itſelf, and ourſelves ſhall be the executioners! How ſhall I proceed on this melancholy ſubject which afflicts me the more, as, for ſo many years paſt, we have not by any principle or conduct, given the ſmalleſt provocation. Allow me, my dear friend, to apply to you for the conſolation which I can derive only on the vigilance and activity of which I know you are poſſeſſed.

Tecum etenim longos memini conſumere ſoles,

I am, in every ſituation of life,

Affectionately and invariably your's,

CHARLES O'CONOR.

[The *Declaration of the Roman Catholic Tenets* publiſhed at this time was the ſame as that publiſhed in 1793; for which vide Appendix, No. LXXXVIII.]

No.

No. LXII.

Mr. WYSE's *Propoſal to the Firſt Catholic Committee.* (*P.* 321.)

WHEREAS, many of the penal laws enacted againſt the Roman Catholics of Ireland, ſince the Revolution, have in a great meaſure been owing to the ſupineneſs of ſome, to the overbearing ſuperiority aſſumed by others in taking the lead, and deſpiſing the opinions of men of greater knowledge and penetration; to embezzlements of public money, and an inſecurity of application to the purpoſes, for which large ſums have been occaſionally raiſed; to an imprudent choice of improper agents; to the diffidence and difficulty of raiſing ſuch ſums as are neceſſary to give weight to ſolicitation; and laſtly, to the want of that good underſtanding, harmony and union ſo remarkable in the political conduct of all other Diſſenters, by which they have preſerved a legal toleration of their religious worſhip, and the rights and liberties of freemen, which the Catholics might have been equally ſucceſsful in keeping, if they had gone hand in hand, and purſued the ſame methods, the neglect and omiſſion of which have brought ſuch an inundation of calamities on us, that neither clergy nor laity could live in this kingdom, if the ſeverity of the laws themſelves did not ſuſpend their execution, and the lenity of government hold up the ſcourge, but not the ſpirit of perſecution, which breaks out each ſeſſion, with greater violence, and though now and then diverted, yet in the end muſt extirpate us, if not prudently counteracted.

And, whereas, it would be impoſſible to convene together all the Roman Catholics of property throughout the kingdom on any emergency, or even all the Roman Catholics of weight and conſequence in and about the city of Dublin, the fountain head of intelligence, and though ſuch a convention were practicable, it would be inexpedient; in order therefore to remedy, &c. &c. the following ſcheme is humbly propoſed for eſtabliſhing a perpetual committee of repreſentatives for each dioceſs in Ireland, and for each pariſh in the city of Dublin. One repreſentative to be choſen by ballott, at a meeting of the principal inhabitants of each pariſh, and in each county by a majority of the pariſh prieſts, as well as of the towns and cities, and each nomination and appointment of a lay repreſentative to be ſigned not only by the ſaid clergy, but alſo, by the principal inhabitants of the dioceſs, and theſe ſeveral elections to be made with as much ſecrecy as poſſible.

The

The chairman of the ſaid committee with an aſſiſtant, conſtantly reſiding in Dublin, to keep a book of accounts, and enter all tranſactions for the ſatiſfaction of their conſtituents; to be annually choſen on ſome day before the firſt of January, by a majority of members, and to have a caſting voice, in caſe of a diviſion; and an equality of voices on both ſides. The country members, who may not be in town at the time of any neceſſary buſineſs ſhall be duly apprized thereof by the chairman or aſſiſtant ſecretary for the time being, and any gentleman, though not of the committee, ſhall have acceſs to their meetings, to give his opinion or advice on any deliberation of importance, but not to have a voice in any debate or reſolution of the committee, or be preſent when the queſtion is put; and every thing done by a majority of voices, relative to the ſpiritual or temporal welfare of the conſtituents, ſhall be binding, and conſidered by all parties as concluſive, &c.

No. LXIII.

Letter of Mr. SAUL *to Mr.* O'CONOR *of Belanagare.* (*P.* 322.)

MY DEAR MR. O'CONOR,

I AM an utter ſtranger to what our people here are doing, and I am reſolved never to be concerned in any affairs during my life, but thoſe of my family, and a ſmall circle of friends; what I ſuffered on account of my humanity in the caſe of Miſs Toole, has taught me this leſſon; I was then made to underſtand, from the mouth of no leſs a perſonage, than the lord chancellor, that the laws did not preſume a Papiſt to exiſt here, nor could they breathe without the connivance of government. If ſo, for I ſhall not attempt to think otherwiſe, after ſo ſolemn a declaration, how can you blame me for being an enemy to addreſſes and to memoirs? Even you cannot perſuade me that they tend to any purpoſe. I remember to have read in ſome of the claſſicks (when a ſchool boy), a line or two, which have been of ſingular uſe to me in the courſe of my life.

Nunquam pœnituit tacuiſſe, at ſæpe locutum.

And now, my dear friend, ſince there is not the leaſt proſpect of ſuch a relaxation of the penal laws, as would induce one Roman Catholic to tarry in this houſe of bondage, who can purchaſe a ſettlement in ſome other land, where freedom, and ſecurity of property can be obtained, will you condemn

me for ſaying, that if I cannot be one of the firſt, I will not be one of the laſt, to take flight from a country, where I have not the leaſt expectation of encouragement to enable me to carry on my manufactures, to any conſiderable extent?

Heu! fuge crudeles terras, fuge littus avarum!

The parliament of 59, is not the parliament of 53. The heart was then on the right ſide of the political body, ready to promote, on all occaſions, the intereſt and welfare of the country; but the caſe is quite the reverſe at preſent. The patriots of that happy æra are the betrayers of this; and he only is wrong, who ſtood out for too great a price, or did not ſell himſelf in time for what he could obtain.

If (as Pope ſays) "whatever is, is right," thoſe trials may perhaps be intended for our greater benefit, as leſſons to ſhew us, that our kingdom is not of this world, that we are not to expect any real happineſs in this life, and that the greateſt calamities and miſeries here muſt have an end.

This reflection, I own, has often relieved me on many diſtreſſing occurrences. But how I will be able to bear at this time of life, when nature is far advanced in its decline, and my conſtitution by conſtant exerciſe of mind very much impaired, the fatal neceſſity of quitting for ever, friends, relations, an ancient patrimony,—my *natale ſolum*, to retire perhaps to ſome dreary inauſpicious clime, there to play the ſchool-boy again, to learn the language, laws, and conſtitution of the country; to make new friends and acquaintances; in ſhort, to begin the world anew; how this ſeparation, I ſay, from every thing dear in this ſublunary world, would afflict me, I cannot ſay, but with an agitated and throbbing heart.

But when Religion dictates, and Prudence points out the only way to preſerve poſterity from temptation and perdition, I feel this conſideration predominating over all others, I am reſolved as ſoon as poſſible to ſell out, and to expatriate; and I muſt content myſelf with the melancholy ſatisfaction of treaſuring up in my memory the kindneſſes and affections of my friends. Living or dying

I am,

My dear O'Conor,

November 15, 1759.

Ever your's,

LAWRENCE SAUL.

No.

No. LXIV.

Letter of Mr. O'CONOR *to Dr.* CURRY. (*P.* 322.)

September 16th, 1759.

DEAR SIR,

NO circumſtance attending the Memoirs gives me more pain, than the proſpect you have before you, that the ſtorm of the times is to burſt over the heads of the patronizers of ſuch a work, that is, over the defenceleſs, the grieved, and hated part of the nation.—If our maſters are ſo far bent againſt us, as to be provoked at what we may now ſurely call innocent truths; let thoſe truths be ſecreted for better days and better times, even though no great deference ſhould be obſerved to the errors of men, who would rather continue ruinouſly miſtaken, than be unpleaſingly undeceived; my deference to ſuch men would go but a ſhort way; and were I author of the Hiſtorical Memoirs, I would apprehend but very little from the open avowal of them. But, perhaps the true author, whoever he is, has more meaſures to keep through the delicacy of his ſituation.

For my part, I can ſee neither relief nor perſecution from the complexion of the preſent times, they ſeem not purified enough for the one, nor implacable enough for the other; and when the ſcales of political wiſdom are thus poiſed, let us conclude that wiſdom and juſtice will take care one time or other to caſt the balance on the right ſide.

Your's affectionately,
CHARLES O'CONOR.

To the Same.

Belanagare, October 20th.

DEAR SIR,

ON my return two days ſince from Jamestown, I called in Elphin, at Mr. Stafford's. He informed me, that he put a book which lately came out, (on the fatal rebellion in 1641) into the Biſhop's hands, who promiſed it an impartial reading. As you might probably have peruſed that work, you may be curious to know what ſo great a man's thoughts are relative to it; they are indeed pretty much what I foreſaw they would be.—The

author (ſaid he) hath taken great pains to ſupport his facts by authentic teſtimonies, but I cannot approve of the diſcretion of gentlemen, who in the preſent time revive ſuch facts.—Mr. Stafford made no reply; nor could it eſcape his lordſhip, that ſuch facts are revived inceſſantly, in the anniverſary ſermons, pamphlets, and books of the moſt eminent men among us. But the charge of indiſcretion is levelled particularly at any perſon, who now have the audacity to controvert any matters ſet forth in theſe periodical writings. For my own part I cannot but approve entirely of the equity of this judgment: nor can I ſee the reaſon, why a people, who contended in vain for civil juſtice in a former age, ſhould have any hiſtorical juſtice done them in this! Who does not ſee that under all popular governments, popular contention muſt ſometimes ariſe, and that every diſcomfited party, (which party muſt be ſurely always in the wrong) owe at leaſt one duty to the public, which is either to applaud the juſtice done them, or leave the honor of the panegyric to others.

In the preſent caſe you ſee, that nothing more than a reſpectful ſilence is required, and ſorry I am that the author of the book I mention, did not follow the example ſet him by his own party for ſeventy years paſt. Had he done ſo, nothing more than the uſual courſe would be ſerved up, on the approaching anniverſary of the 23d inſtant; but now I am not without my apprehenſions, that the peruſal of thoſe memoirs may ſwell the bill of fare; and prove expenſive to thoſe, for whom ſuch feaſts are annually prepared. Here I drop my melancholy ſubject, having only to add, that his lordſhip ſuſpects ſtrongly, that the author of the book I mention, lives this ſide of the Shannon; he will doubtleſs confirm others in this idea.

I lay four nights ago in Jamestown, nine miles off. It contains an area of four or five plantation acres, in an oblong ſquare, ſurrounded by a ſtrong wall ſix feet in thickneſs, about twenty feet high; the two great gates are broken down. It ſtretches along the Shannon, under a riſing ground to the Weſt; no fortification was ever worſe ſituated for defence. I give you this deſcription of the place, as it is almoſt as famous in hiſtory, for its council of biſhops in the civil war, as Trent is for another council, which is equally the object of popular odium. I have tired you and myſelf.

Adieu,

CHARLES O'CONOR.

P. S.

P. S. The great man ſet off for Dublin on Monday laſt. He thought that the not procuring him the Iphigenia, was owing rather to a deſign in ſecreting the work, than the real want of the book. I requeſt you will do all you can to hunt down this hiſtorical fugitive, and let him be delivered bound up, or even looſe, to one who is ſo eager to have him examined.

The Anſwer.

DEAR SIR,

I RETURN a thouſand thanks for both your laſt favors. Your great neighbour's obſervation on the Memoirs is pleaſant enough. After a very ſhort, critical, inquiſitive peruſal of an unpleaſing work, becauſe a work, deſtructive of one of his principal topics of argumentation againſt an oppoſite party, whom he is in the habit not only of diſſenting from, but deteſting; for ſuch a man to have no other fault to find, but indiſcretion, in the publication of ſuch truths at this juncture, nay, to allow that the author has ſupported his facts by authentic evidence—quod erat deſideratum—amounts, conſideratis conſiderandis—to approbation and applauſe. From a judge ſo circumſtanced as his lordſhip, no more could be expected; and his mentioning the fault of indiſcretion, looks like affected criticiſm; becauſe you have ſhewn it to be entirely groundleſs, and becauſe it was, you know, abſolutely neceſſary he ſhould find ſome fault. I have been ſeeking in vain for Iphigenia: if I can get her at any price, ſhe ſhall be at your ſervice.

Adieu.

J. CURRY.

No. LXV.

The Humble Addreſs of the Roman Catholic Gentlemen, Merchants, and Citizens of the City of Dublin, to His Grace, John, Duke of Bedford, &c. (*Page* 324.)

(From the Dublin Gazette, December 15, 1789.)

MAY IT PLEASE YOUR GRACE,

WE, his majeſty's dutiful and faithful ſubjects, the Roman Catholic gentlemen, merchants, and citizens of the city of Dublin, do, with

with the greateſt reſpect, approach the illuſtrious repreſentative of the beſt of kings, with our hearty congratulations on thoſe glorious ſucceſſes, by ſea and land, which have attended his majeſty's arms, in the proſecution of this juſt and neceſſary war.

We gratefully acknowledge the lenity extended to us by his moſt ſacred majeſty, and by his royal father, of happy memory. Our allegiance, may it pleaſe your grace, is confirmed by affection and gratitude; our religion commands it; and it ſhall be our invariable rule firmly and inviolably to adhere to it.

We are called to this duty, at the preſent time in particular, when a foreign enemy is meditating deſperate attempts to interrupt the happineſs and diſturb the repoſe, which theſe kingdoms have ſo long enjoyed, under a monarch, who places his chief glory in approving himſelf the common father of all his people: and we ſincerely aſſure your grace, that we are ready and willing, to the utmoſt of our abilities, to aſſiſt in ſupporting his majeſty's government againſt all hoſtile attempts whatſoever.

Whenever, my lord, it ſhall pleaſe the Almighty, that the legiſlative power of this realm ſhall deem the peaceable conduct of his majeſty's Catholic ſubjects of Ireland, for many years paſt, an object worthy of its favourable attention, we humbly hope means may then be deviſed, to render ſo numerous a body more uſeful members to the community, and more ſtrengthening friends to the ſtate, than they could poſſibly have hitherto been, under the reſtraint of the many penal laws againſt them. We moſt humbly beſeech your grace to repreſent to his majeſty theſe ſentiments and reſolutions of his majeſty's faithful ſubjects, the Roman Catholics of this metropolis, who ſincerely wiſh, that a peace honourable to his majeſty, and advantageous to his kingdoms, may be the iſſue of the preſent war; and that the people of Ireland may be long governed by your grace, a viceroy, in whom wiſdom, moderation, and juſtice, are ſo eminently conſpicuous.

Dated this firſt of December, 1759. (nine.)

His

His Grace the Duke of BEDFORD'S *Anſwer to the Addreſs of the Roman Catholics of Dublin, in his Letter to the Right Honorable John* PONSONBY, *Eſq. Speaker of the Honorable Houſe of Commons.*

(From the Dublin Gazette, December 15th, 1759.)

Dublin Caſtle, 10th of December, 1759.

SIR,

I BEG the favor of you, to return my moſt ſincere thanks to the gentlemen, the Roman Catholics of Dublin, for the addreſs which you brought me from them this morning, and for the good opinion which they have therein expreſſed of me.

The zeal and attachment, which they profeſs for his majeſty's perſon and government, can never be more ſeaſonably manifeſted, than in the preſent conjuncture.

It gives me the greateſt pleaſure to find, that they are ſo fully ſenſible of the lenity, which hath been extended to them, during the whole courſe of his majeſty's reign; and they may be aſſured, that, ſo long as they conduct themſelves with duty and affection to the king, they will not fail to receive his majeſty's protection.

I am, with great truth and regard, Sir,
Your moſt obedient humble ſervant,
BEDFORD.

No. LXVI.

Letter of General STRODE *to the Lord Lieutenant, concerning the Landing of* THUROT. (*P.* 331.)

INFORMATION of Benjamin Hall, lieutenant and adjutant to my regiment, who this moment arrived here, on his parade, from Carrickfergus, in order to get proviſions for the officers and ſoldiers of my regiment there, ſays, that on the 21ſt inſt. three ſhips appeared off the iſle of Magee, ſtanding in ſhore, for the bay of Carrickfergus, and at eleven o'clock came to an anchor, about two miles and a half to the N. E. part of the caſtle, and within muſquet

muſquet ſhot of the ſhore at Thilroot-point. At this time the ſmall number of troops belonging to the garriſon, were at exerciſe, about half a mile on the road to Belfaſt; and at a quarter after eleven o'clock, the guard was turned out, made up, and marched off, to relieve that on the French priſoners in the caſtle: the reſt of the men continued in the field of exerciſe, where an account was ſoon brought, that the three ſhips juſt come to anchor had taken and detained two fiſhing boats, and with them and ſeveral others were plying on and off between the ſhore and the ſhips; on which immediate orders were ſent to the caſtle for both guards to continue under arms, and double the ſentinels on the French priſoners; and be particularly ſtrict and watchful over them, till they could be ſatisfied whether they were friends or enemies; though at the ſame time, a ſtrong report prevailed with ſome, that it was an Engliſh frigate and two ſtore ſhips: but to be convinced what they were, after the troops had aſſembled in the market place, Lieutenant Hall went off with a reconnoitring party, and took poſt on a riſing ground, where he could plainly perceive eight boats landing armed men; and that they drew out in detachments, and took poſt on the dykes, hedges, and all the riſing grounds, from whence they could have the moſt extenſive views: upon which he gave the neceſſary orders to his non-commiſſion officers and men, to have a watchful eye of their approaches; and to take particular care, that they did not get round them, by going to the foot of the hill undiſcovered: in order to prevent which he poſted them himſelf, and told them as ſoon as ever their advanced guard came within ſhot, to fire upon them, and continue ſo to do, until they repulſed them; or, if neceſſary to retreat, he likewiſe pointed that out to them, with orders to take every opportunity or advantage of the ground, in their retreat, to retard the enemy's approach; and to be ſure to keep up a communication with the town as much as poſſible; and, on this he immediately went to the town and acquainted Lieutenant Colonel Jennings, where he met him with the troops on the parade, who immediately ordered detachments to be made to defend the gates of the town, and all the avenues leading thereto; ſoon after which the reconnoitring party retired, after having ſpent all their ammunition: during which time the lieutenant colonel and chief magiſtrate of the town, ſent off the ſheriff and Mr. Macklewain (who is captain of the militia of the corporation) with orders to take off the French priſoners of war, and convey them with all ſpeed to Belfaſt, where they were to receive further orders from me. By this time the enemy

were

were in full march for the town, which he computed to be near 1000 men; and two or three ſtraggling huſſars, on horſes they had picked up after landing, attempted to enter the gates, but on the firſt fire, retired, but were ſoon ſupported by parties of foot, who attacked both the north and Scotch gates; as alſo the garden walls of Lord Donegal; but were repulſed alſo, and kept back as long as the men had ammunition. On which Colonel Jennings ordered the whole to retire to the caſtle; which he had ſufficient time to do, as now the enemy was a little checked from our fire; and would have been more ſo, if the men had ammunition. Before the gates of the caſtle were ſhut, they made their appearance in the market place; and then it was, in his opinion, the deſtruction of the enemy would have commenced, had it not been for the ſtill dreadful want of ammunition, notwithſtanding the ſupply of powder they had received a few days before by my order, from Belfaſt, but were in want of ball, and even time, if they had that, to make them up: from which the enemy, finding our fire ſo cool, attacked the gates ſword in hand, which from the battering of the ſhot from both ſides, the bolts were knocked back and the gates opened, and the enemy marched in: but Lieutenant Colonel Jennings, Lord Wallingford, Captain Bland, Lieutenant Ellis, with ſome gentlemen, and about fifty men, repulſed the enemy and beat them back. Here it was he ſaw a great reſolution in a few Iriſh boys, who defended the gate after it was opened, with their bayonets; and thoſe from the Half-moon, after their ammunition was gone, threw ſtones and ſticks. Had this attack of the enemy been ſupported with any degree of courage, they muſt certainly have ſucceeded in it, but they retired back under cover, leaving the gates open, with our men in the front of it; which gave them a ſhort time to conſider what was the beſt to be done: firſt, to ſee the mens' ammunition, who if they had any, would have certainly ſallied, and even without it, had not Colonel Jennings and all the officers thought the enterprize too hazardous. Then they conſidered if the gate could be defended: the breach in the caſtle wall, could not; it being near fifty feet long; and having but a ſhort time to deliberate, all agreed a parley ſhould be beat, and Lieutenant Hall ſent to know on what terms they might ſurrender; which was done accordingly, and on his going out, found the greateſt part of the enemy under ſhelter of the old walls and houſes before the caſtle gate; and after the uſual ceremony, demanded of the commandant (the general being wounded) what terms would be given to the troops on their ſurrender; and at the ſame time ſent the drum to call Colonel Jennings

out of the caſtle, in order to treat with the French commandant on the articles of capitulation, which he ſays, as well as he can remember, were as follows, viz.

" Colonel Jennings demanded that the troops ſhould march out with all " the honours of war, and the officers to be on their parole in Ireland, and " that an equal number of priſoners ſhould be ſent to France within one " month, or as ſoon after as ſhips could be got ready for that purpoſe.----- " Granted.

" That the caſtle of Carrickfergus ſhould not be demoliſhed, or any of the " ſtores deſtroyed or taken out of it.-----Granted.

" That the town and county of Carrickfergus ſhould not be plundered or " burnt, on condition the mayor and corporation furniſhed the French troops " with neceſſary proviſions.-----Granted."

That, as well as he can remember, was the verbal articles agreed on; though on writing them the French commandant, after conſulting his principal officers, declared he could not by any means anſwer to his maſter, the French king, for granting to his Britannic majeſty the ſtores in the caſtle, which he inſiſted upon: and Colonel Jennings, to his great grief, had it not in his power to refuſe, declaring ſolemnly, at the ſame time with a grave countenance, that he would rather have been buried in the ruins. To which the French commandant replied, that he could not inſert it in the articles of capitulation, yet he would give his word of honour, and did ſo, that if there was nothing of great value in the caſtle, belonging to the king, beſides powder, he would not touch it (which there really was not): but how far he will keep his promiſe, is not yet known. Likewiſe the magiſtrates of Carrickfergus, not furniſhing the French with neceſſary proviſions, they plundered the town, declaring it was their own fault, as they were convinced they had it in their power to ſupply them, as they had found enough in the town afterwards.

Mr. Hall further informs me, that he has diſcovered by ſome of the French, that there was a diſagreement betwixt their general and Captain Thurot, the general being for the attack of Carrick, and Thurot for landing at the White-houſe and attacking Belfaſt. He likewiſe judges the frigates to be one of 40 guns, the other two about 20 each.

Lieutenant Hall begs leave to preſent his duty to your grace, and hopes your grace will excuſe any inaccuracy, that may be in his deſcription, as he was no way provided with any papers, and ſtates but from his memory, having

having been often interrupted by numbers of gentlemen of the militia, who were crowding perpetually into the room to receive orders.

I beg leave to ſubſcribe myſelf,

My Lord, &c.

Belfaſt, 23d Feb. 1760.] WM. STRODE.

No. LXVII.

The Addreſs of the Quakers. (*Page* 334.)

To GEORGE the Third, King of Great Britain and the Dominions thereunto belonging.

The humble Addreſs of the People called Quakers, of the Kingdom of Ireland.

MAY IT PLEASE THE KING!

WE, thy dutiful and faithful ſubjects, being deeply impreſſed with a ſenſe of the loſs theſe nations have ſuſtained by the ſudden and unexpected removal of thy royal grandfather, our late gracious king, beg leave to condole with thee on this affecting event.

His mild and juſt government rendered him dear to all his faithful ſubjects; and the particular indulgence and protection we have enjoyed in the free exerciſe of our religious duties, have left on our minds laſting impreſſions of gratitude and reſpect for his memory.

At the ſame time permit us to congratulate thee on thy acceſſion to the throne of theſe realms, in which exalted ſtation, we truſt in that God by whom kings reign, that thoſe many virtues which we hear adorn thy breaſt (and for which we are humbly thankful to the divine giver) will ever continue to animate thy conduct; and thy gracious declaration for the encouragement of piety, and ſuppreſſion of vice and immorality, gives us juſt grounds to hope, that thy reign will be happy to thy people, and honorable to thyſelf.

Perſuaded of the clemency and benevolence of thy diſpoſition, and conſcious of our own fidelity and affection to thy perſon and government, we are emboldened to aſk, and aſſured of thy favourable protection; a protection we ſtand the more in need of, as ſome of our religious tenets (of the truth of

which we are firmly perſuaded) expoſe us to ſufferings from unreaſonable men. Such protection, we thankfully acknowledge, the kind acceptance of our peaceable and dutiful demeanour hath procured to us, during the late reigns of thy royal anceſtors; and it is our firm reſolution (through divine aſſiſtance) to merit the continuance thereof, by behaving agreeable to our chriſtian principles, as becomes faithful ſubjects.

We offer up our fervent prayers to Almighty God, that he may endue thee with wiſdom, to rule in his fear; that in thy days righteouſneſs may exalt the nation; and that thou may be the happy inſtrument of reſtoring a permanent peace; that his protecting providence may ſhield thee from every danger, preſerve thee long the beloved ſovereign of a happy and grateful people; and perpetuate their happineſs by continuing the crown in thy family to lateſt poſterity.

Dublin, the 13th of the 11th month (called November) 1760.

To the King's moſt excellent Majeſty.

The humble Addreſs of the Roman Catholics of the Kingdom of Ireland.

MOST GRACIOUS SOVEREIGN,

WE, your Majeſty's moſt dutiful and faithful ſubjects, the Roman Catholics of the kingdom of Ireland, beg leave to approach your Majeſty with this humble tender of our unfeigned loyalty, on your Majeſty's happy acceſſion to the throne of your anceſtors.

While your Majeſty's ſubjects of all denominations are now endeavouring to be foremoſt in the exertion of every duty towards your Majeſty's perſon and government; and while all circumſtances of affairs at home, and abroad, unite for the preſent happineſs and future glory of your reign; permit us to condole with your Majeſty, and pour out our ſincere ſorrow for the loſs we have ſuſtained, by the death of a monarch, who had always approved himſelf the common father of all his people; a loſs the more ſenſible on our part, as the repoſe we have ſo long enjoyed proceeded from his royal clemency, and the mild adminiſtration of his government in this kingdom.

Ever ſince the acceſſion of your Majeſty's royal houſe to the throne of theſe realms, we have in a particular manner experienced the paternal interpoſition of your illuſtrious predeceſſors. We, moſt gracious ſovereign, who are ſo unfortunately

fortunately diſtinguiſhed from the reſt of our fellow ſubjects, cannot ſubſiſt without a continuance of the royal favour and protection.

Senſible of the ſame hereditary compaſſion in your Majeſty's breaſt, we moſt humbly hope for that ſhare in the happineſs of your reign, which our peculiar circumſtances can admit. And we beg leave to aſſure your Majeſty of our grateful and conſtant return of affection and loyalty; a loyalty which our conduct has proved, and our religion enforces; happy! might it entitle us to expreſs a wiſh, that of all your Majeſty's dutiful ſubjects of this kingdom, we alone may not be left incapable of promoting the general welfare and proſperity of it.

May the Almighty ſo influence and direct your Majeſty's councils, through the whole courſe of your reign, that they may be ever productive of real happineſs to all your people! and may that reign be as memorable for its duration and felicity, as for the greatneſs and variety of thoſe bleſſings, which we have already ſo much reaſon to expect from it.

No. LXVIII.

Exhortation read in the Roman Catholic Chapels on the Day of Public Faſt.
(*Page* 336.)

DEAR CHRISTIANS,

WE think it our duty to remind you of the gratitude and thanks you owe to the Almighty God, who in theſe calamitous times, ſo fatal to other parts of Europe, leaves you in the happy enjoyment of peace and all the bleſſings that attend it; bleſſings that ought to fill your hearts with the deepeſt ſenſe of God's mercy towards you, and thankfulneſs to our chief governor here, whoſe paternal care and pity, equally generous and extenſive, knows no diſtinctions of perſons or people; theſe bleſſings we attribute in a great meaſure to your peaceable and diſcreet behaviour hitherto: wherefore we exhort you in the bowels of Jeſus Chriſt, to continue to demean yourſelves in the ſame peaceable manner, and to avoid every thing in public or private, that might give the leaſt ſhadow of offence; that our miniſtry (as St. Paul ſays) may not be blamed. Nor does this caution proceed from any diffidence we have of your future conduct: it is rather intended to raiſe in your minds a lively ſenſe of the lenity and mildneſs of our preſent moſt gracious government. Length

of

of time, your conſtant, ready, and chearful ſubmiſſion to the ruling powers, and, above all, the merciful and humane diſpoſition of the preſent royal family, have greatly worn off the rigour of prejudice againſt you: theſe happy diſpoſitions, encouraged by a continuance of the ſame behaviour in you, may perhaps improve ſtill more to your advantage: but whether we ſhall be deemed worthy of future favour or not, it is our duty, as miniſters of Jeſus Chriſt, ſtrongly to enforce the obligations of a ſubmiſſive, obedient, and peaceful behaviour, and yours, as chriſtians and good ſubjects, to fulfil them ſteadily in your practice.

No. LXIX.

The Addreſs of the Merchants and Traders of Dublin in 1761. (*Page* 352.)

To the Right Hon. William Pitt, Eſq. late one of his Majeſty's Principal Secretaries of State.

The grateful Addreſs of the Merchants and Traders of the City of Dublin.

WE, his Majeſty's moſt loyal, dutiful, and affectionate ſubjects, the merchants, traders, and other citizens of the city of Dublin, whoſe names are underwritten, judge theſe kingdoms too deeply intereſted in your withdrawing from the high ſtation you have lately ſo eminently and greatly filled, to the honour and ſatisfaction of the crown and the ſubject, to let ſo important an event paſs over in ſilence.

Though thus far removed from the great ſcene of action, we ſenſibly felt the manifold good of your truly patriotic and ſingularly wiſe and upright adminiſtration. To this we muſt attribute the reſcuing Britain from the ſhameful infection of that peſtilential miniſterial practice, which called foreign mercenaries to the defence of a country, by her native force, when properly exerted, more than a match for half the powers of Europe.

To your ſteady virtues we ſtand indebted for freeing our mother country from the reproach of calling foreign troops to defend her from a threatened invaſion, and for chaſtiſing the inſolence of the vaunting invader; inſpiring the councils and arms of Britain with that ancient true national ſpirit, which when duly exerted, ever has, and ever muſt render the Britiſh name terrible to her foes in the utmoſt extremities of the globe.

Under

Under ſuch an adminiſtration, we muſt always ſee, inſtead of private intereſt, merit, the only recommendation to places of important truſt. By ſuch meaſures as theſe, it is that we have ſeen commerce accompanying conqueſt to the remoteſt parts of the earth, while faction was ſilenced and jarring parties reconciled and united at home.

Thus, Sir, have your ſteady patriot virtues raiſed monuments to your fame more durable than marble or braſs.

As the enemies of theſe kingdoms never had ſo great cauſe to rejoice, as they have from your withdrawing yourſelf from the ſphere in which alone you could render theſe unſpeakably great ſervices to your country; ſo the true friends of theſe kingdoms never had more juſt cauſe to mourn.

We ſhould therefore think ourſelves wanting in duty to our patriot king, to our mother country, as well as our native, did we omit giving this public teſtimony of the loſs which all ſuſtain by the withdrawing of a miniſter of ſuch matchleſs abilities and equal fidelity at ſo important and critical a conjuncture as the preſent.

Indulge us thus, great Sir, in venting our griefs, and blending our tears with thoſe of the reſt of our mourning brethren and fellow ſubjects in Britain, as well as in other parts of this kingdom. Accept our moſt hearty and unfeigned acknowledgments for the unſpeakable ſervices and laſting honours you have already done your native country, and all the dominions of the crown of Great Britain. And give us leave to aſſure you, that we ſhall ever admire, and ever with profound reſpect and gratitude remember the unparalleled virtues that have ſo eminently diſtinguiſhed your adminiſtration.

No. LX. *a.*

(*Page* 397.)

HIS Excellency George Viſcount Townſhend, Lord Lieutenant General and General Governor of Ireland, being arrayed in royal robes, entered the Houſe with the uſual ceremonies of grandeur; the Earl of Tyrone carrying the cap of maintenance, and the Earl of Charlemont the ſword of ſtate; two noblemens' ſons bearing the train of the royal robe: his Excellency the Lord Lieutenant making his congé to the throne, aſcended the ſame, and ſeated himſelf in the chair of ſtate under the canopy; all the Lords

Lords Spiritual and Temporal ſtanding robed in their places, uncovered, till their Lordſhips took their ſeats.

The Lord Chancellor, kneeling, conferred with his Excellency the Lord Lieutenant, and then, ſtanding on the right hand of the chair of ſtate, commanded the Gentleman Uſher of the Black Rod to repair to the Houſe of Commons, and acquaint the Commons that it is his Excellency the Lord Lieutenant's pleaſure they attend him immediately in the Houſe of Peers.

And the Commons, with their Speaker, being come, were conducted to the bar, with the uſual ceremonies; where Mr. Speaker, after a ſpeech to his Excellency the Lord Lieutenant, in relation to the money-bills, delivered them to the Clerk of the Parliament, who brought them to the table, where the Clerk of the Crown read the titles, as follow, &c.

1. An Act for granting unto his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandize therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambrics and lawns, except of the manufacture of Great Britain.
2. An Act for granting to his Majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed.

To theſe bills, the Clerk of the Parliament pronounced the Royal Aſſent, ſeverally in the words following, viz. "Le Roi remercie ſes bons ſujets, ac-" cepte leur benevolence, et ainſi le veult."

Then his Excellency the Lord Lieutenant was pleaſed to make a ſpeech to both Houſes of Parliament as follows, viz.

My Lords and Gentlemen,

The attention you have ſhewn to the great objects which have been particularly recommended by me to your conſideration, and the proviſions which have been made for the ſafety and ſecurity of this kingdom, call upon me, not only to expreſs my approbation of, but to thank you, as I now do, for your conduct in theſe particulars.

Gentlemen of the Houſe of Commons,

It is with great pleaſure that I thank you, in his Majeſty's name, for the ſupplies which you have granted, and the proviſion which you made for the preſent eſtabliſhment, the public credit, and the ſafety of this kingdom.

When

When I firſt met you in Parliament, as I knew and could rely upon it, that nothing could move from his Majeſty, but what would be expreſſive of his conſtant and ardent deſire to maintain and preſerve every conſtitutional right to his people, I little thought that any thing would happen during the courſe of this ſeſſion, that could poſſibly affect the juſt rights of his Majeſty, and of the crown of Great Britain, ſo as to afford his Majeſty any juſt cauſe of diſſatisfaction, and make it neceſſary for me, ſpecially to aſſert and vindicate thoſe rights.

Therefore it is with great concern that I have ſeen and obſerved in the Votes and Journals of the Houſe of Commons, printed by your order, a late proceeding by you, of ſuch a nature and of ſuch effect, with reſpect to the rights of his Majeſty and the crown of Great Britain, as to make it neceſſary for me, on this day, and in this place, to take notice of and animadvert thereupon; I mean the vote and reſolution of the 21ſt day of November laſt, by which you, Gentlemen of the Houſe of Commons, declare, that a bill, intitled, "An act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for and towards the diſcharge of the ſaid principal ſums, in ſuch manner as is therein directed," which had been duly certified from hence to his Majeſty, and by his Majeſty had been tranſmitted in due form, under the great ſeal of Great Britain, and which had been read a firſt time by you, and which was rejected by you on that day, was ſo rejected, becauſe it did not take its riſe in your houſe.

This vote and this reſolution of yours, declaring, that the ſaid bill was rejected, becauſe it did not take its riſe in your houſe, being contrary to the acts of parliament of this kingdom of the 10th of Henry VII. and the 3d and 4th of Philip and Mary, and the uſage and practice ever ſince, and intrenching upon the juſt rights of his Majeſty and the crown of Great Britain, to tranſmit ſuch bills to be treated of and conſidered in Parliament here; I am now to aſſert his Majeſty's royal authority, and the rights of the crown of Great Britain in this reſpect, and in ſuch a manner as may be moſt public and permanent; and therefore I do here in full Parliament, make my public proteſt againſt the ſaid vote and reſolution of the Houſe of Commons; by which you, Gentlemen of that Houſe, declare, that the ſaid bill was rejected by you, becauſe it did not take its riſe in your houſe, and againſt the entries of the ſaid vote and reſolution, which remain in the Journals of the Houſe

of Commons; and I do require the Clerks of this Houſe now to read my ſaid Proteſt, and to enter it in the Journals of this Houſe, that it may there remain to future ages, as a vindication of the undoubted right and authority of his Majeſty, and of the rights of the crown of Great Britain, in this particular.

In this Proteſt, I think myſelf warranted in all reſpects, and if it needed, as I conceive it doth not, any other ſtrength than that, which it derives from the ſtatutes which I have mentioned, and from the uſage and practice ever ſince, it would be found in that precedent which appears in the Journals of this Houſe of the 3d day of November, 1692, under the reign of that glorious and immortal Prince King William III. the great deliverer of theſe kingdoms, and the conſtant and magnanimous aſſerter and preſerver of the civil and religious rights of mankind.

The Lord Chancellor then, by his Excellency's command, delivered the ſaid Proteſt to the Clerk of the Parliaments, which he read at the table, and is as follows, viz.

TOWNSHEND.

Whereas at a Parliament holden at Drogheda, in the 10th year of the reign of King Henry VII. an Act was made for and concerning the order, manner and form of Parliaments, to be holden and kept in this realm of Ireland; and by another act made at a Parliament, holden at Dublin in the 3d and 4th years of King Philip and Queen Mary, it was ordained, enacted, and eſtabliſhed, that no Parliament ſhould be ſummoned or holden within this realm of Ireland, until ſuch time as the Lieutenant, Lord Deputy, Lord Juſtice, Lords Juſtices, Chief Governor or Governors, or any of them, and the council of this realm, for the time being, ſhould have certified the King and Queen's Majeſties, her heirs and ſucceſſors, under the great ſeal of this realm of Ireland, the conſiderations, cauſes and articles of ſuch acts, proviſions, and ordinances, as by them ſhould be thought meet and neceſſary to be enacted and paſſed here by the Parliament, and ſhould have received again their Majeſties' anſwer, under the great ſeal of England, declaring their pleaſures, either for paſſing the ſaid acts, proviſions, and ordinances, in the form and tenor as they ſhould be ſent into England, or elſe for the change or alteration of them, or any part of the ſame; and that as well after every authority and licence, ſent into

into this realm of Ireland, for ſummoning and holding a Parliament, as alſo at all times after the ſummons, and during the time of every Parliament, to be thereafter holden within this realm of Ireland, the Lieutenant, Lord Deputy, Lord Juſtice, Lords Juſtices, Chief Governor or Chief Governors, and Council of this realm of Ireland, for the time being, ſhould and might certify all ſuch other conſiderations, cauſes, tenors, proviſions and ordinances, as they ſhould further think good to be enacted and eſtabliſhed, at and in the ſaid Parliament, to the King and Queen's Majeſties, her heirs and ſucceſſors, under the great ſeal of this realm of Ireland, and ſuch conſiderations, cauſes, tenors, proviſions and ordinances, or any of them, as ſhould be thereupon certified and returned into this realm, under the great ſeal of England, and no others, ſhould and might paſs, and be enacted here in any ſuch Parliament within this ſaid realm of Ireland, in caſe the ſame conſiderations, cauſes, tenors, proviſions and ordinances, or any of them, ſhould be agreed or reſolved on by the three eſtates of the ſaid Parliament. And whereas in this preſent ſeſſion of Parliament, a bill intitled, "An Act for granting to his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums in ſuch manner as is therein directed, which had been certified by us, the Lord Lieutenant of this kingdom, and by the Council of this kingdom, unto the King's Majeſty, under the great ſeal of this kingdom; and by his Majeſty approved of, and returned into this kingdom, under the great ſeal of Great Britain, and by us ſent to the Houſe of Commons to be conſidered of in this preſent Parliament; the ſaid Commons, having the ſaid bill before them, did read the ſaid bill the firſt time on the 21ſt day of November laſt; and on the ſame 21ſt day of November, a motion being made in the ſaid Houſe, and the queſtion put, "That the ſame bill be read a ſecond time on the morrow morning:" it paſſed in the negative. And afterwards, on the ſame 21ſt day of November, another motion was made in the ſaid Houſe of Commons, and the queſtion put, "That the ſame bill be rejected:" it paſſed in the affirmative. And afterwards, on the ſame 21ſt day of November, a motion was made in the ſaid Houſe of Commons, and the queſtion put, "That the ſaid bill is rejected becauſe it did not take its riſe in that Houſe:" it was carried in the affirmative. And the ſaid Houſe of Commons thereupon, the ſame day, reſolved, that the ſaid bill was rejected, becauſe it did not take its riſe in that Houſe. All which

motions, queſtions, votes, reſolutions and proceedings, appear to us in the Journals or Votes of the ſaid Houſe of Commons, printed and publiſhed by and under their order and authority; and which vote and reſolution of the ſaid Houſe of Commons, declaring, that the ſaid bill was rejected, becauſe it did not take its riſe in that Houſe, do tend to exclude his Majeſty and the crown of Great Britain from the right of tranſmitting any bills for granting to his Majeſty and his ſucceſſors, money or other aids, and are not conſiſtent with, but contrary to the ſaid recited acts of Parliament, and the uſage and practice ever ſince the making thereof; and do, in effect, intrench upon his Majeſty's royal power and authority, and the juſt and undoubted rights of the crown of Great Britain.

We therefore the ſaid Lord Lieutenant, as well to aſſert the juſt rights of his Majeſty and the crown of Great Britain (whereof we are, and ever will be moſt tender) in tranſmitting ſuch bills under the great ſeal of Great Britain, to be conſidered of in Parliament, as to diſcharge the truſt repoſed in us, and prevent the inconveniencies which may hereafter happen by the ſaid vote and reſolution of the Houſe of Commons, declaring, that the ſaid bill was rejected for the cauſe therein mentioned, being made public and remaining in their journals, without any contradiction or animadverſion, have thought it neceſſary this day, in full Parliament to proteſt, and we do accordingly proteſt againſt the aforeſaid vote and reſolution of the ſaid Houſe of Commons, made and paſſed, declaring, that the ſaid bill was rejected, becauſe it did not take its riſe in that Houſe, and appearing in their journals or votes. And we do aſſert, proteſt and declare, that it is the juſt and undoubted right of his Majeſty and of the crown of Great Britain, obſerving the forms in the ſaid ſeveral acts preſcribed, to tranſmit bills under the great ſeal of Great Britain, for granting of aids to his Majeſty, his heirs and ſucceſſors; which ſaid bill, ſo tranſmitted, ought to be read and conſidered of by the Houſe of Commons in this kingdom, without being rejected by the ſaid Houſe, on account only of their not taking their riſe in that Houſe; and therefore the rejecting of the ſaid bill becauſe it did not take its riſe in that Houſe, and the ſaid recited vote and reſolutions of the ſaid Houſe of Commons, declaring, that the ſaid bill was rejected, becauſe it did not take its riſe in that Houſe, are not conſiſtent with, but contrary to, the acts of parliament herein before mentioned, and the practice and uſage in all Parliaments ſince the making thereof; and alſo highly

highly derogatory to his Majeſty's royal authority and the rights of the crown of Great Britain.

After which the lord chancellor, by his excellency's further command, ſaid:

My Lords and Gentlemen,

It is his Excellency the Lord Lieutenant's pleaſure, that this Parliament be prorogued to Tueſday the 20th day of March next, to be then here held; and this Parliament is accordingly prorogued to Tueſday the 20th day of March next.

No. LXI. *a.*

Proteſt of five Lords againſt the Lord Lieutenant's Right of Proteſting.
(*Page* 400.)

MOTION being made, that the ſpeaker of this houſe be deſired to direct that no proteſt of any perſon whomſoever, who is not a lord of parliament, and a member of this houſe, and which doth not reſpect a matter which had been previouſly in queſtion before this houſe, and wherein the lord proteſting had taken part with the minority either in perſon or by proxy, be entered in the journals of this houſe.

And a debate ariſing thereupon, the queſtion was put, and the houſe divided:

The Earl of Drogheda reported, that the contents below the bar were 5; and the non-contents in the houſe were 30.

It paſſed in the negative.

Diſſentient:

1. Becauſe we conceive, that it is the ſole and excluſive right and privilege of a lord of parliament and member of this houſe, to have his proteſt entered on the journals of this houſe: and that even a lord of parliament and member of this houſe cannot have his proteſt ſo entered, except upon a matter previouſly in queſtion before this houſe, wherein the lord proteſting took part with the minority, either in perſon or by proxy.

2. Becauſe we conceive, that this regulation of the privilege of proteſting, ſtands upon the ſame principle; in conſequence of which, this privilege hath obtained among the lords, and not among the repreſentatives of the people, the latter, we apprehend, are conſidered by the conſtitution, as actuated and juſtified by the ſentiments of thoſe whom they repreſent: whereas the lords, who act, not as deputies, but in their own right, are more perſonally reſponſible for

for their conduct to poſterity. The practice of a permanent juſtification, alſo ſeems to have deemed a more neceſſary guard upon a body, whoſe power was permanent. Hence we conceive the privilege of proteſting aroſe, that a lord againſt whom the majority had declared, might have an opportunity of vindicating himſelf to future times, which the original cuſtom of inſerting the name of each lord on the journals, with the part he had taken in the queſtion rendered more unneceſſary: and we therefore apprehend, as it would be abſurd for a lord to juſtify his conduct where he had not acted, that the privilege of proteſting had been by reaſon as well as by practice confined to caſes, in which the lord proteſting had taken a part, and in which, upon queſtion, the majority had been on a different opinion.

3. Becauſe we conceive, that the Earl of Strafford, who firſt attempted, and that but in a ſingle inſtance, to enter his proteſt, as chief governor, upon the journals of this houſe, was a perſon of ſuch an arbitrary ſpirit, and the times, in which he lived, of ſo bad example, and his ſaid proteſt ſo informal and faulty in itſelf, that ſuch his proceeding ought not to be conſidered as a precedent.

4. Becauſe we apprehend, that the only ſubſequent inſtance, to wit, the proteſt of Lord Sydney, which was made in heat by that governor, whoſe conduct was diſapproved on his recal to England, which ſoon followed, and founded upon the former example, which ought not to have been imitated, was ſtill more irregular and improper, inaſmuch as it related to a matter, which had never been before this houſe, and reſpected the privileges and proceedings of the other houſe of parliament.

5. Becauſe we conceive it to be peculiarly neceſſary, at this time, to expreſs our ſentiments upon this ſubject, when we have reaſon to apprehend, that it is intended, that a proteſt ſhould be entered upon the journals of this houſe, relative to the proceedings and privileges of the other houſe of parliament, in imitation of the laſt mentioned proteſt.

6. Becauſe we apprehend, that we ought not to ſuffer this diſtinguiſhed privilege of the lords to be invaded or aſſumed by any perſon, in whatever ſtation. And that we ought particularly to reſiſt any ſuch attempt, when it may be to involve a breach of the privileges of the other houſe of parliament alſo, and may therefore be productive of diſſention between the two houſes.

Louth,
Charlemont,
Powerſcourt,
Mountmorres,
Longford.

No.

No. LXII. *a.*

Proteſt of ſixteen Lords againſt the Entry of the Lord Lieutenant's Proteſt on the Journals. (*P.* 410.)

Diſſentient,

1. BECAUSE we conceive, that by the entering of the lord lieutenant's proteſt upon the journals of this houſe, at the cloſe of the laſt ſeſſion, the privileges of this houſe, and the conſtitutional rights of the peerage, have been moſt flagrantly infringed and violated; and that therefore the earlieſt opportunity ſhould be ſeized of vindicating the rights and privileges of the peerage, and of wiping away the affront, which this houſe has received therein, by expunging from its journals this matter of offence which has been unwarrantably and illegally obtruded upon them.

2. Becauſe we conceive, that the above mentioned proteſt contains in it matter in the higheſt degree illegal and unconſtitutional, in as much as it claims a right, and preſumes to animadvert upon ſome proceedings of the lower houſe of parliament. Now we are bold to aſſert, that whenever any one branch of the legiſlature ſhall arrogate a right to animadvert upon either of the other two branches, the branch of the legiſlature ſo ſubject to animadverſion would inſtantly ceaſe to be part of the ſupreme power; the balance of the conſtitution would be overturned, and that branch in which this juriſdiction reſided, would be completely ſovereign; a ſuppoſition, which is equally abhorrent to the ſpirit and to the letter of the conſtitution.

3. Becauſe we conceive, that this houſe hath and ought to have the ſole and excluſive dominion over its own journals, in like manner as the commons have over theirs; and that the lord lieutenant hath no more right to order an entry to be made upon our journals than he hath to order an entry to be made upon the journals of the commons; and we conceive, that as the crown, though a branch of the legiſlature, is no eſtate of parliament, therefore the crown or its repreſentative, can have no juriſdiction over the journals of the eſtates of parliament, which are the records of the proceedings of the deliberative branches of the legiſlature, whereof the crown is not one. And we are the more confirmed in this opinion, by reflecting, that there is not a ſingle inſtance even in the moſt arbitrary times, of ſuch a power being claimed or exerciſed by the crown, in Great Britain, over the journals of the Britiſh peers. We apprehend alſo, that

that no matter can with propriety be entered upon the journals of this houſe, without the leave of this houſe previouſly had or implied, as is clearly evinced by the conſtant practice of reading the minutes by the clerk before the houſe is adjourned, in order that every peer may have an opportunity of preventing any thing improper from being entered upon the journals. Now on the laſt day of the laſt ſeſſion, no ſuch opportunity was given, the reading of the minutes having been prevented by the prorogation.

4. Becauſe, though it hath been aſſerted, that the journals of this houſe, being public records, it is improper that any alteration ſhould be made therein: we are of opinion, that this maxim extends only to the judicial proceedings of this houſe, not ſeeing that in other inſtances there is any reaſon to diſtinguiſh between the journals of this houſe and thoſe of the other houſe of parliament, from which matters have frequently been expunged: As it is alſo notorious, that matters, not of a judicial nature, have frequently been expunged from the journals of the Houſe of Lords of Great Britain. Indeed, were it otherwiſe, the ſpeaker or even the clerk of this houſe, or any indifferent perſon, who might however irregularly, get acceſs to the journal book, might inſert therein matter of the moſt criminal import, amounting even to the crime of treaſon; and it would be a ſtrange ſoleciſm to ſay, that ſuch inſertion muſt for ever remain, to the diſgrace of this houſe, without any power in us to expunge and purge away ſuch obnoxious matter.

5. Becauſe it hath been declared to be a high breach of the privileges of parliament, that the crown ſhould take notice of the proceedings of either houſe of parliament, unleſs the ſame ſhall be regularly laid before it; a circumſtance, in which we conceive, that the proteſt of Lord Strafford, however in all other reſpects irregular and unconſtitutional, hath the advantage over thoſe of Lord Sydney and of our preſent chief governor.

6. Becauſe we think this entry peculiarly improper, inaſmuch as the viceroy hath therein, by a breach of the privileges of this houſe, made our journals the inſtrument of a breach of the privileges of the other houſe of parliament, a practice which, if not diſcountenanced by us, might probably end in a rupture between the two houſes.

Leinſter, by proxy.
Weſtmeath,
Laneſborough,
Shannon,
Moira, by proxy,
Longford,
Mountcaſhel,
Knapton,
Liſle,

Liſle,
Mornington,
Powerſcourt,
Charlemont,
Baltinglaſs,
Louth,
Bellamont,
Bective,
Moleſworth.

No. LXIII. *a.*

The Catholic's Teſt of Allegiance preſcribed by 13*th and* 14*th* GEO. III. c. XXXV. (*Page* 427.)

I *A. B.* do take Almighty God and his only Son Jeſus Chriſt my Redeemer to witneſs, that I will be faithful and bear true allegiance to our moſt gracious ſovereign lord King George the Third, and him will defend to the utmoſt of my power againſt all conſpiracies and attempts whatever, that ſhall be made againſt his perſon, crown, and dignity; and I will do my utmoſt endeavour to diſcloſe and make known to his majeſty, and his heirs, all treaſons and traiterous conſpiracies, which may be formed againſt him or them; and I do faithfully promiſe to maintain, ſupport and defend, to the utmoſt of my power, the ſucceſſion of the crown in his majeſty's family, againſt any perſon or perſons whatſoever, hereby utterly renouncing and abjuring any obedience or allegiance unto the perſon taking upon himſelf the ſtile and title of Prince of Wales, in the life time of his father, and who ſince his death is ſaid to have aſſumed the ſtile and title of king of Great Britain and Ireland, by the name of Charles the Third, and to any other perſon claiming or pretending a right to the crown of theſe realms; and I do ſwear, that I do reject and deteſt as unchriſtian and impious to believe, that it is lawful to murder or deſtroy any perſon or perſons whatſoever, for or under pretence of their being Hereticks; and alſo, that unchriſtian and impious principle, that no faith is to be kept with Hereticks; I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the pope and council, or by any authority of the ſee of Rome, or by any authority whatſoever, may be depoſed or murdered by their ſubjects, or by any perſon whatſoever; and I do promiſe, that I will not hold, maintain, or abet, any ſuch opinion,

or any other opinion, contrary to what is expreſſed in this declaration; and I do declare, that I do not believe, that the pope of Rome, or any other foreign prince, prelate, ſtate, or potentate hath, or ought to have any temporal or civil juriſdiction, power, ſuperiority, or pre-eminence, directly or indirectly, within this realm; and I do ſolemnly in the preſence of God, and of his only Son Jeſus Chriſt, my Redeemer, profeſs, teſtify and declare, that I do make this declaration, and every part thereof, in the plain and ordinary ſenſe of the words of this oath, without any evaſion, equivocation, or mental reſervation whatever, and without any diſpenſation already granted by the pope or authority of the ſee of Rome, or any other perſon whatever; and without thinking that I am or can be acquitted before God or man, or abſolved of this declaration, or any part thereof, although the pope, or any other perſon or perſons, or authority whatſoever ſhall diſpenſe with or annul the ſame, or declare that it was null and void from the beginning.

So help me God.

No. LXIV. *a.*

From the Debates in the Britiſh Houſe of Commons. (*Page* 444)

As ſoon as the ceremony of ſwearing in the re-elected and new members was over,

Colonel Luttrell roſe, and reminded the houſe, that, previous to the receſs, he had expreſſed a deſire to ſay ſomething relative to the very critical ſituation of Ireland; and that he had been prevented from indulging that deſire by a requeſt from an honourable member (Mr. Byng), that he would not introduce any queſtion upon ſo important a ſubject in the abſence of his majeſty's miniſters, who having been at that time juſt appointed, had vacated their ſeats in that houſe, and conſequently could not be preſent at the diſcuſſion of a ſubject, which he owned ought not to be agitated without them: that the ſame honorable member had requeſted he would ſpeak to them, before he ſhould ſay any thing relative to Ireland in that houſe; and aſſured him at the ſame time, that he would find the new ſervants of the crown moſt ready to do every thing in their power to promote the welfare and happineſs of every part of his majeſty's dominions.

He

He had given way to the deſire of the honorable member, and had conferred with two of the new miniſters, and he felt himſelf bound to ſay publickly of them, that he found them extremely well diſpoſed to do every thing in reaſon to quiet the diſcontents of the people of Ireland; as far as they were concerned he was ſatisfied; but as he then ſaw in his place a right honorable gentleman (Mr. Eden) who knew beſt the ſituation of Ireland, he certainly wiſhed that before his return the right honorable gentleman would explain to the houſe, a little of the preſent poſture of affairs in that kingdom.

Mr. Eden thought that in a ſituation, ſuch as Ireland then ſtood, the eyes of men were turned upon him, who being a member of the legiſlature of that kingdom, as well as of this, and at the ſame time in a miniſterial capacity in the former, muſt be ſuppoſed to be well acquainted with the nature of the jealouſies and demands of the people of Ireland: he preſumed that it would be expected of him to ſay ſomething of affairs in which he himſelf had borne a part; and to propoſe ſome meaſure, which ſhould tend to conciliation with Ireland, in the preſent very alarming ſituation of that kingdom; it was his intention therefore, before he ſhould ſit down, to make a motion on that ſubject; but firſt he thought it would be proper to give a ſhort ſketch of the hiſtory of Iriſh affairs for the laſt two years.

(As the public are acquainted with all the political facts that have occurred in Ireland during that period, we ſhall not enter into them ſo minutely as Mr. Eden did; we ſhall therefore only ſtate the general heads, and the obſervations that he made on them.)

He ſaid, that, when the acts paſſed in England for enlarging the trade of Ireland, and admitting that kingdom to an equal participation of trade with England, the people of the former, inſtead of being filled with gratitude for the bleſſing which had been juſt extended to them, began to be jealous, leſt they ſhould loſe that bleſſing which they prized ſo much; and, ſeeing before them the bright proſpect which a free trade opened to their view, their firſt ſentiment was fear, that, at ſome future period, the ſame power, which had conferred, might reſume that grant: and ſome circumſtances occurred, which tended greatly to encreaſe the fears of the people on this head; for in the very next ſeſſion of the Engliſh parliament, Ireland was mentioned in four different acts; ſo that the Iriſh were thereby alarmed, leſt the power which aſſumed a right to bind Ireland, even after a free trade had been granted to her, might, when the circumſtances of affairs would warrant ſuch a proceed-

ing, reſort back again to that commercial monopoly, which had juſt been broken; and they then began to look into their own conſtitution. It was true, that thoſe four acts, in which Ireland was bound, were not of a nature to afford grounds for any ſuch apprehenſion; for they related to very trifling matters, no ways injurious, one of which, on the contrary, was beneficial to Ireland; but ſtill they created jealouſies, and gave riſe to many arguments in the Iriſh Houſe of Commons, where Mr. Grattan had formally complained of them, as ſubverſive of the conſtitutional independence, as it was called, of the parliament of Ireland. The volunteers all complained of them; and when he mentioned the volunteers, he might be ſaid to mention the whole nation, which, as with one voice, maintained that no power on earth had a right to legiſlate for Ireland, but the king and parliament of Ireland. In ſpeaking of the volunteers, he muſt take that opportunity, he ſaid, to bear his public teſtimony to their ſteady loyalty, and attachment to Great Britain; and their conſtant declarations, that the enemies of England ſhould be the enemies of Ireland; but it was not by words only or profeſſions, that they manifeſted their loyalty; they proved it by their deeds; and when the combined fleets threatened the country with an invaſion, it was impoſſible to deſcribe with what alacrity and ſpirit they made a tender of their ſervices to the lord lieutenant; and this too without any previous communication among themſelves, or concert whatſoever: for their noble and generous behaviour at that alarming moment, his excellency has thought it neceſſary to expreſs his acknowledgements to them from the throne. Previous to that ſeſſion, the volunteers, without marking any diſpoſition to thoſe meaſures, which they had ſince adopted, were harmleſsly amuſing themſelves with reviews, and military parade; and ſuch an oppoſition was expected in parliament, as every free government would wiſh to ſee formed, as ſuch a conſtitutional oppoſition muſt neceſſarily make miniſters more watchful, and attentive to their duty. When the ſeſſion was opened, various were the queſtions introduced into the Houſe of Commons, which he had not been able to approve, and which appearing to a majority of the houſe, in the ſame light as they did to him, he had been able to poſtpone: one was for a declaration of the rights of Ireland; another reſpecting the mutiny-bill; a third for a bill to quiet the proprietors, who held eſtates in Ireland, under Britiſh acts of parliament. All theſe meaſures had appeared to the majority of the houſe, as very inexpedient; but ſtill he muſt obſerve, that even the majority which had ſupported him, were friends to the

principle

principle of every one of theſe queſtions; and therefore they were only poſtponed and got rid of by the previous queſtion; but not rejected: At length, a gentleman of very great character and abilities (Mr. Yelverton) wiſhing to ſteer a middle courſe, to ſatisfy the demands of the volunteers, reſpecting a declaration of rights, and at the ſame time to prevent the miſchiefs, or at leaſt the inconveniences, which might flow from ſuch declaration, unqualified, and untempered, had brought in a bill for inacting into laws in Ireland, ſeveral ſtatutes, which had been made in England: in this bill he himſelf had taken no active part; but he would ſay thus much of it, that it had his moſt hearty concurrence. As this bill would certainly obviate the principal inconveniences, that would otherwiſe reſult from a declaration of what the people of Ireland called their rights, and as he ſaw plainly, that ſuch a declaration could no longer be oppoſed with ſucceſs, he would now give way to neceſſity, and no longer oppoſe himſelf to ſuch a meaſure; for in the preſent ſtate and diſpoſition of Ireland, he would aſſure the houſe, that they might as well ſtrive to make the Thames flow up Highgate-hill, as to attempt to legiſlate for Ireland, which would no longer ſubmit to any legiſlature but its own. What uſe the Iriſh would make of their legiſlative independence, he could not tell; but if he could bring himſelf to think, that they would avail themſelves of it in making any foreign connexions, injurious to the trade or intereſt of this kingdom, he was free to ſay, that ſooner than agree to ſuch an independence, England ought to riſque a good deal. But he believed a ſenſible, judicious people, like the Iriſh, would always ſee that the intereſts of both kingdoms were ſo connected, that they could not be ſeparated without the greateſt loſs to both; and therefore he truſted, that the Iriſh would never attempt to break the connection; he truſted alſo, that they would adopt, from time to time, ſuch laws of this country, as it would be for the intereſt of both ſhould be in force in both kingdoms, and as no Iriſh bill could paſs into law, without the previous conſent of the king, in his council of England, ſo there was no danger that the independence of the legiſlature of Ireland could be made uſe of to make laws injurious to the ſiſter kingdom, the Engliſh council being reſponſible for every advice they gave their ſovereign.

Excluſive of the declaration of rights, the volunteers, or in another word, Ireland, had called for an habeas corpus act, which as it was proper ſhe ſhould have, had not been oppoſed; and now it was part of the law of Ireland. They had called alſo for an act to make the judges independent of the crown, by

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making them hold their commiſſions *quamdiu ſe bene geſſerint*; this was a reaſonable demand, and had conſequently been complied with; for a bill was brought in to that effect; and it was now in its progreſs through parliament. An alteration of the mutiny bill was another thing which they looked for; he muſt needs ſay, he could not ſee the danger, which the enemies to what was called the perpetual clauſe in that bill, apprehended from it; however, as he made no doubt but the people of Ireland would be ready to adopt ſuch regulations as the parliament of England might from time to time make for the army, ſo he flattered himſelf that the ground of apprehenſion, leſt the regulations in England and Ireland for the army ſhould be different, would be removed: he ſaw no reaſon, why the wiſhes of the latter ſhould be any longer oppoſed on this head; nay, he thought they ought not to be oppoſed, ſince new jealouſies had lately been excited on that ſubject by a tranſaction in England. It was underſtood in Ireland that the name of that kingdom ſhould no longer be inſerted in the Engliſh mutiny bill; and ſtill, when that bill was brought in, the word Ireland, as uſual, ſtood part of it: It had indeed been ſince ſtruck out, and the bill paſſed without it; but the minds of the volunteers were not eaſy on the ſubject. A modification of Poynings' law was another object, which the Iriſh had greatly at heart: On that he would not enlarge; but gentlemen would ſee that it ſhould be granted; England had nothing to fear from the increaſed power of the Iriſh parliament, as the conſent of the king would ſtill be neceſſary to ſanctify all their acts.

Having made theſe, and various other obſervations, he moved for leave to bring in a bill to repeal ſo much of the act of the 6th of George I. as aſſerted a right in the king and parliament of Great Britain to make laws to bind the kingdom and people of Ireland. He did not wiſh to precipitate matters; but gentlemen muſt ſee the neceſſity of doing ſomething ſpeedily, and without the loſs of a moment, to prevent thoſe conſequences, which it was not for him ſo much as to think of: they all knew that the parliament of Ireland was to meet to-morrow ſe'nnight, and Mr. Grattan would on that day propoſe to the Houſe of Commons, a vote for a declaration of rights. Would it not therefore, ſays he, be expedient to anticipate the wiſhes of Ireland on that head; and, to convince her of our ſincere intention, give her every ſecurity in our power for the permanency of her conſtitution, and of that trade, which ſhe is ſo anxious to preſerve? As for himſelf, he muſt ſet out on his return for Ireland, either that night or to morrow morning, and he ſhould be happy to have

have it in his power to carry over with him the agreeable tidings, that the parliament of England was ready to give the Iriſh every ſatisfaction they could reaſonably require.

He did not deſire that the bill which he moved for ſhould be immediately paſſed; all he looked for was a kind of pledge from that houſe to carry over with him to Ireland, that the Engliſh parliament would not oppoſe the favourite wiſh and determined reſolution of the Iriſh: the bill might lie over, until it ſhould be known whether it would ſatisfy the Iriſh parliament or not: if it ſhould, then it might be paſſed into a law; if the partial repeal he propoſed ſhould not pleaſe the Iriſh, then he would adviſe the total repeal of the 6th of George I. But if neither partial nor total repeal would ſatisfy them, then he certainly ſhould leave the law, as it now ſtood, without any alteration whatever.

Mr. Courtenay roſe, and ſaid he would ſecond the motion; Lord Newhaven roſe to do the ſame thing, and Colonel Luttrell was not willing to give up the point to either of them. After ſome diſpute for the priority in ſpeaking, the chair decided in favor of Lord Newhaven, who ſaid that no man was leſs connected with the preſent adminiſtration than he was; and yet he thought it would have been proper to have given the new adminiſtration a little more time to turn their thoughts to the affairs of Ireland: however, as the motion had been made, he roſe to give it his moſt hearty ſupport: becauſe he was perfectly ſatisfied that the meaſure was now become abſolutely neceſſary.

Colonel Luttrell ſaid, that when he roſe to ſecond the motion, it was under the idea, that ſuch a meaſure as was then propoſed, would give general ſatisfaction to Ireland; if he thought it would not, he certainly would not ſecond ſuch a motion; becauſe he would not conſent to the repeal of the 6th of George I. unleſs in caſe of ſuch emergency as the preſent, when he thought by ſuch a repeal, he might quiet the minds and conciliate the affections of the people of Ireland; and therefore he called upon the right honourable gentleman, who made the motion, to tell the houſe, whether he thought ſuch a meaſure as he had juſt propoſed, would produce the ſalutary effect that was expected from it.

Mr. Eden could not undertake to ſay, that the meaſure propoſed would give complete ſatisfaction to Ireland; and therefore would not pledge himſelf, that it would; but he knew that ſo critical was the ſituation of that country at preſent, that if the motion then before the houſe ſhould be rejected, he would

would not anſwer for the conſequences. The ſpeaker read the motion from the chair.

Mr. Secretary Fox then roſe, and claimed the attention of the houſe in a particular degree. He ſaid he never was more aſtoniſhed than at the proceedings of the houſe upon that day, and at the manner in which the right honourable gentleman had acted. For firſt an honourable gentleman had riſen, and re-ſtated to the houſe what he had mentioned before the receſs, without making any motion whatever, relating merely the circumſtances of the country of Ireland, and the neceſſity that there was for ſerious and ſpeedy meaſures being adopted for quieting the jealouſies ſubſiſting in that kingdom. Upon this another right honorable gentleman, without any previous communication, or having conſulted with any perſon whatever, riſes up, and, after many obſervations on the circumſtances and ſtate of the kingdom of Ireland, concludes with a motion for declaring Ireland to be totally independent of the legiſlature of Great Britain. The right honorable gentleman ſaid, he hoped it would not be expected that he ſhould give an anſwer to all the obſervations that had been made; they had been truly curious; and eſpecially as they were thrown out, and the houſe moved upon the very day when the new ſervants of the king met the repreſentatives of the people in parliament, and before they could have it in their power to propoſe any meaſure whatever with reſpect to Ireland. The hurry of the right honorable gentleman was ſuch, that he came down to the houſe, and moved this propoſition, which was to divide the kingdom of Ireland from the legiſlature of Great Britain, without giving his majeſty's miniſters any time to act in their new ſituation, or come to parliament with ſuch plans as would in their opinion quiet the diſturbances, and reſtore harmony to both nations. The right honorable gentleman had come over from Ireland to this country; and it was no ſecret that he had brought with him a letter of reſignation from the lord lieutenant. His majeſty's miniſters had ſcarcely done reading that letter, when they received another from the right honorable gentleman himſelf, informing them that he declined communicating to the confidential ſervants of the crown any knowledge which he might poſſeſs relative to the circumſtances and ſtate of Ireland, to tell them any facts, or to ſtate any opinion upon them whatever. In the letter of reſignation the Earl of Carliſle had ſaid, that he did not give any account of the ſituation of the kingdom of Ireland, becauſe his right honorable ſecretary was coming to England, who would be able to give them the moſt complete information

information of every particular. But the right honorable ſecretary choſe to withhold this information from his majeſty's miniſters, and to come to this houſe without communicating with any one, without taking any advice, and without giving any time to the new miniſters to move for a repeal of the 6th of George I. He had believed that the purpoſe of the right honorable gentleman's viſit to this country, was to give his majeſty's miniſters that information, for which the lord lieutenant referred them in his letter of reſignation; but now the true purpoſe of his journey was diſcovered. It was not to give information to government, but to come to that houſe, and, on the firſt day after the receſs, to make a moſt unſeaſonable and unwiſe motion, which, he no doubt imagined would conſiderably embarraſs the king's ſervants. If this were the ſort of oppoſition, which they were to meet with in that houſe, he had too good an opinion of the candor of parliament to fear it.

The diſpoſition of the king's miniſters towards Ireland, he believed, was ſufficiently underſtood; and that diſpoſition which they had expreſſed, when out of office, he ſincerely believed they would now maintain, and would take the ſpeedieſt and moſt likely means of giving compleat ſatisfaction to the people of Ireland. The motion came with ſingularity from the right honorable gentleman, who was one of thoſe perſons who had conſtantly talked in ſuch high language of "the unity of the Britiſh dominions," and who thought proper to reſiſt every claim that was made both by the people of Ireland and the people of America to that juſt liberty, and thoſe rights and privileges they inherited under the conſtitution. If the adminiſtration, of which he had been a member and a partizan, had been as ready to yield to the pretenſions of Ireland, when thoſe pretenſions were conveyed in terms of moſt reſpectful regard, the houſe would not have been inſulted on that day with a motion from one of the men who had conſtantly and uniformly denied every requeſt, and withheld every boon that was either ſought or wiſhed for by our ſiſter kingdom. But the right honorable gentleman ſeemed yet to have the principles of his late friends, and to act entirely upon their plan; he ſeemed to wiſh to divide the two kingdoms; and, like them, after talking of the unity of the Britiſh dominion, to ſtrive to diſmember the Britiſh empire. He had come poſt from Ireland for the purpoſe, as it ſhould ſeem, of moving this repeal of the 6th of George I. in the Houſe of Commons; and this he thought it his duty to do, though he did not conceive it to be his duty to give any account to government of the ſtate and condition of Ireland. The na-

ture of his journey was now perfectly manifeſt. He had come in this very great hurry—had contrived to come on the very firſt day of the meeting after the receſs—on the very firſt day of the miniſters taking their ſeats in the houſe —to propoſe a thing which demanded the moſt ſerious enquiry, the moſt deliberate inveſtigation, that the wiſdom of this country and of Ireland could give it. If his late friends had had a twentieth part of his hurry, if they had had a twentieth part of his preſent diſpoſition to yield to the requiſitions of Ireland, we ſhould not now be brought to the diſtreſs in which we are at this moment. If the late miniſtry had conceded when they might concede with grace, if they had given an extenſion of commerce, as was the right of Ireland, as well as it was for the benefit of England, when that extenſion was decently called for, and they had taken that occaſion finally to ſettle the relative ſituation of the two countries, it might have been done without difficulties, and all our preſent embarraſſment, with its conſequences, would have been avoided. But they never looked beyond the preſent inſtant, they never provided for what was to come, they did things neither effectually or finally, and the right honorable gentleman ſeemed ſtill to partake of the ſame quality; for he was only inclined to do one thing, without taking time to conſider, or ſeeming to care whether what he did would be ſufficient, whether it were all they deſired, and whether, when they had procured the repeal of one part of the act of the 6th George I. they would not afterwards think that the other parts of that act ſhould alſo be repealed. He was ſincerely of opinion, that this was not the way of ſettling the jealouſies, or of reſtoring tranquillity to Ireland. His majeſty's miniſters, he could aſſure the houſe, had not loſt a moment in bringing forward the ſubject. Out of the ſhort time that they had been in office, they had employed a conſiderable part on the affairs of Ireland. He wiſhed to God that their predeceſſors had been as active, and that they had loſt as little time as thoſe who were now entruſted with the government of this country. If the right honorable gentleman had given the proper communications to government, perhaps the miniſters would have been prepared this day to have brought forward a propoſition; as it was, he could ſay, that before many days elapſed, before many hours, the ſubject would come before the houſe in a regular way. His majeſty's miniſters, when out of office, declared their opinion with reſpect to the claims of Ireland. They had ſaid, that thoſe reſtrictions, with regard to commerce, under which they laboured, were exceedingly impolitic as well as cruel; and that it would be for the benefit of England

England as well as of Ireland, that there ſhould be ſuch an extenſion of trade, and ſuch ſettlement of connexion, as would quiet the jealouſies of the one, without hurting the intereſt, or lowering the rank of the other. It was therefore to be preſumed, at leaſt, that they would act up to their former declarations; he ſincerely believed that they would do ſo; and he could aſſure the houſe, for his own part, that he was entirely diſpoſed to heal the ſore minds of our fellow-ſubjects, and to prevent the unhappy conſequences of diviſion and tumult.

The right honorable gentleman had talked of the meaſures of the volunteer army in Ireland, during the laſt ſummer, as a matter of diverſion and amuſement. This was language which he confeſſed he did not expect to hear. He ſhould not have been ſurpriſed if the right honorable gentleman had ſaid of them, that their meaſures were alarming to the government of Ireland; it might have been ſaid with truth, that they had been conducted with bravery; perhaps that they originated in neceſſity; certainly in the love of their country, in virtue, and in the ſupport of their independence, as a people; but that the ſecretary to the lord lieutenant, and one of the miniſters of the kingdom, ſhould talk of their meaſures as a matter of diverſion and amuſement, was beyond all the abſurdity that he had ever heard. The right honorable gentleman had ſaid, that the oppoſition which the government of Ireland had met with, was that ſort of oppoſition which a government would always chooſe to have. Was it ſo? Was an oppoſition compoſed of all the integrity, the talents, and the reſpect of a country, ſuch as a miniſtry would chooſe to meet with? An oppoſition compoſed of a Charlemont, a Grattan, a Burgh, a Yelverton, a Flood, &c. was not to be wiſhed for by any miniſtry, who deſired to ſtand well with their country. The Lord preſerve him from ſuch an oppoſition! He would not wiſh to be the miniſter who propoſed meaſures, which ſuch men as thoſe muſt in their hearts oppoſe. The right honorable gentleman had, by a ſtrange mode of reaſoning, called the adminiſtration of the Earl of Carliſle fortunate and ſucceſsful. Fortunate and ſucceſsful ſurely muſt that adminiſtration be, which concludes with a motion from the ſecretary for reducing this country to conditional ſubmiſſion, and humbling her at the feet of Ireland! Fortunate and ſucceſsful muſt that adminiſtration have been, when the ſecretary, after oppoſing every claim that is made, comes over poſt, and declares, that all his oppoſition is fruitleſs, and that the requiſition muſt be complied with! Fortunate and ſucceſs-

ful ſurely the adminiſtration of the Earl of Carliſle could not be called; but in denying that the noble lord had been ſucceſsful in his adminiſtration, he by no means intended to ſay, that he was to blame. He believed it was the fault of the late miniſters of this empire, whoſe total inattention to the affairs of that kingdom, had made a part of that ſyſtem of negligence and lethargy which prevailed throughout. He had always thought, that the affairs of this country under their management had ſuffered moſt materially; that they had taken away the pride which was natural to Britain, and had brought us into moſt alarming circumſtances. But within the laſt fortnight he had received ſuch additional information, and ſuch inſight into the affairs of that country, that all his former conjectures were now ripened into complete judgments; all his former apprehenſions were moſt alarmingly increaſed, and he found that our ſituation was much worſe even than he dreaded. Bad as he always thought thoſe miniſters were, he had never believed them to be ſo inattentive, ſo remiſs, or ſo totally careleſs of every thing that regarded the intereſts of their country, as he had found them. He truſted, that the preſent ſervants of the crown would think it their duty to make up a ſtate of the affairs of the country as they found them at this time, and lay it before parliament for their information. This was a digreſſion which the houſe would pardon. It was, however, not totally foreign from the queſtion; for their neglect of the affairs of Ireland was one of the moſt material parts of their guilt.

The right honorable gentleman ſaid, that he truſted in the candour of the houſe for the confidence which they would have in the intentions of his majeſty's miniſters towards Ireland; and that they would believe, that they meant and wiſhed moſt ardently to bring the matter forward in the moſt ſpeedy manner. He would again aſſure them, that it had always been his political ſentiments, that it was unjuſt and tyrannical to attempt to hold a country in ſubjection, and to govern againſt the will and opinion of the people. It had always been his ſentiment with regard to America as well as to Ireland, that they could not, much leſs ought not to be governed by laws which they rejected as unconſtitutional. All juſt government muſt conſiſt in the perfect conſent, good will and opinion of the people; it was the beſt and pureſt ſyſtem of government, where harmony prevailed; and without it, it was not government, but uſurpation. This was always his idea on the ſubject, and he maintained it in oppoſition to all theories of men, becauſe it was the only ſyſtem, which in the end was practicable. It was certainly the moſt

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conſiſtent with true policy, as well as juſtice. To bring about a *final* ſettlement of the diſpute between Great Britain and Ireland; to ſtate and preciſely to declare, not for a moment, but for ever, what was the relative ſituation of the two countries with reſpect to each other; to take in and conclude all points of difference, and to eſtabliſh ſuch a ſyſtem of connexion, intimacy and relation between them, as ſhould be immediately and permanently for the intereſt of both, would require much diſcuſſion, and a conſiderable deal of time; for both countries muſt come to the diſcuſſion of the great and important ſubject, that by mutual conſent it might be ſettled for ages, and not, as had been the conduct of the late miniſters, ſear up the wound for a moment, without compleating the cure. When thoſe miniſters agreed to the extenſion of the trade of Ireland, they ſhould have ultimately ſettled the claims and fixed the ſituation. They failed to do this at the proper time, and they ought to anſwer for it to their country. That meaſures, however, would be taken for accompliſhing this deſirable end, he might ſafely aſſure the houſe. He thought that deceit was always pernicious, and he wiſhed to ſpeak with as much openneſs and information as the nature of his office could juſtify. He would, therefore, move for the order of the day, as the beſt means of poſtponing the motion of the right honorable gentleman. He wiſhed for this to give time to the king's ſervants to determine with preciſion on the plan to be offered to both countries; and he had the utmoſt reaſon to hope and believe, that the matter would be finally ſettled without any of thoſe conſequences, which the conduct of the right honorable gentleman in this buſineſs had been calculated to produce. He wiſhed, he confeſſed, that the right honorable gentleman would withdraw his motion, as the beſt means; and by which an honorable friend of his, Mr. Crewe, would be able to move for leave to bring in a bill, which he had introduced ſome years ago, for diſqualifying exciſe and cuſtom-houſe officers from voting at elections. This was a part of the plan, which had been formed when they were out of office, for reforming the conſtitution of parliament, and which they ſeriouſly meant to undertake now with the ſame zeal and attention as before. Not a day would be loſt until the taſk of reducing the improper influence of the crown, and ſettling the repreſentation of the people upon more equal grounds, was fulfilled. The right honorable gentleman had ſaid, that his oppoſition to the various motions that had been made in the Iriſh Houſe of Commons had been ſupported by great majorities. He ſaid, that he wiſhed theſe majorities had been

been leſs: it was the greatneſs of theſe majorities, and the manner, in which they were conſtituted, that had given offence and jealouſy to the people of Ireland. They, no doubt, deſired to ſee a free repreſentation, declaring honeſtly their voice in the ſenate. To correct the abuſes in influence and repreſentation, would be the ſteady endeavours of his majeſty's miniſters. He concluded with moving for the order of day; this he would not have done upon any other account, than that the motion was of ſuch a ſort, and came at ſuch a time; but he hoped, that the right honorable gentleman would yet withdraw it.

Mr. Eden roſe to explain what he meant by ſaying the oppoſition to government in Ireland was ſuch, as no perſon need be fearful of; it was not to infer, that they were men of no reſpect or talents, but that they were men of ſuch moderation, that no fear was to be apprehended from them. With reſpect to the volunteers taking up arms as amuſement, they certainly did ſo at firſt, and at the ſame time with a laudable zeal to protect the country from the danger of an invaſion, which was ſaid to threaten it; but that amuſement had grown into a formidable body of men, who ſeemed determined to have a total repeal of the declaratory law, without properly weighing, whether it would not be in ſome meaſure detrimental to them. He mentioned again, that he ſhould leave England to-morrow; and was fearful, that if the motion were not carried into execution, notwithſtanding what the right honorable gentleman (Mr. Fox) had ſaid of the intentions of government, it would be too late.

Lord Mahon ſaid, he thought it extremely indecent for the right honorable gentleman, who ſpoke laſt, to bring in the motion, as he had refuſed giving his majeſty's miniſters the information reſpecting Ireland, that it was his duty to have done. His lordſhip read the preamble of the act 6th George I. which aſſerted, that the reaſon of its being made, was the abuſe of power committed by the Houſe of Peers of Ireland. The declaration of the right honorable ſecretary (Mr. Fox) had been ſuch, he ſaid, as ought to appear fully ſufficient, that it was their intention to take up the buſineſs with all poſſible diſpatch.

Colonel Luttrell ſaid, he hoped that he ſtood free from any cenſure in the buſineſs; that the ſole reaſon of his calling on the right honorable gentleman, was from a certainty, that, as he was juſt arrived from that kingdom, he could be able to give the houſe much information on the ſtate of affairs; that he

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was himſelf at firſt much inclined to ſecond the motion; but as the right honorable ſecretary (Mr. Fox), had ſo openly declared that councils had already been held, and that every conſideration poſſible was meant to be given to the buſineſs, he thought it would be beſt for the right honorable gentleman, (Mr. Eden), on his return to Ireland, to ſtate fairly to the houſe, that the preſent miniſtry had fully declared their intentions of redreſſing the grievances complained of, and to deſire they would poſtpone their deciſion for a ſhort time, until they ſaw what miniſters did do on the ſubject.

Lord Newhaven ſaid, he by no means would wiſh to embarraſs government; that he believed the right honorable ſecretary on the treaſury bench was ſincere in his declarations; yet he was fearful of an impreſſion going over to Ireland, that we had rejected the offer of repealing the act complained of in the motion.

The Right Hon. General Conway owned himſelf ſurprized that any perſon, who was a ſervant of the public, (for as ſuch he undoubtedly conſidered the Iriſh ſecretary), ſhould dare to withhold information from his majeſty's miniſters, becauſe they were not a ſet of men that were favourable to the wretched ſyſtem that had occaſioned the diſpute of the preſent hour. Since the new miniſters had come into place, no time had been loſt in thinking of the moſt ſpeedy and effectual means of quieting the troubles that unfortunately raged in Ireland; no leſs than three or four cabinet councils had been held ſolely on that buſineſs; and the new appointed lord lieutenant would be empowered with ſuch terms, as he truſted would eſtabliſh a firm and happy union between the two countries, which were ſo inſeparably connected together by every tie of intereſt. It was extremely indecent in the right honorable gentleman who moved the buſineſs, to bring the matter on in the manner he had, without ever hinting the leaſt idea to any of his majeſty's miniſters of his intention, or knowing whether miniſters did not intend themſelves to move ſomething ſimilar to it.

Mr. Eden ſaid, he found it abſolutely neceſſary to declare the whole of his tranſactions ſince he came to England. He arrived in town on Thurſday laſt, he ſaid, with a letter of Lord Carliſle's reſignation, and was ſurpriſed to find that a new lord-lieutenant had been appointed in his ſtead, two days previous to his arrival, by which it might poſſibly happen, that his Grace the Duke of Portland would be the meſſenger of his own appointment: that treatment he thought extremely indecent: it was not uſing Lord Carliſle well, to recall

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him without any notice, or alledging any fault againſt him; making no more ceremony in the removal of him, (although buſineſs of the kingdom might materially require his attendance), than they would in the removal of a chancellor of the duchy court of Lancaſter, or any other ſinecure place. He likewiſe found on his arrival, that the lord-lieutenancy of the Eaſt-Riding of Yorkſhire, was alſo taken from his lordſhip: he looked on that as an additional inſult offered to his lordſhip; and he had therefore determined to hold no conference with men, that had treated the noble earl in ſuch an unprecedented manner. He had offered to wait on any of the miniſtry that wiſhed to ſee him; but he had undoubtedly declined giving his opinion on any point whatever.

Mr. Secretary Fox ſaid, with the right honorable gentleman's leave, he would read his own letter, which he did, ſtating his reaſon for not giving them any information on account of his thinking Lord Carliſle ill treated. It was extremely curious, he ſaid, that the right honorable gentleman ſhould think Lord Carliſle ill-treated, by a ſucceſſor being appointed, when he had written home a poſitive and unconditional letter of reſignation. He had the honour, he ſaid, to be well acquainted with Lord Carliſle, and was certain that he was poſſeſſed of too much ſenſe to think himſelf ill-treated in his reſignation being accepted. With reſpect to the Marquis of Carmarthen being reſtored to the lord-lieutenancy of the Eaſt-Riding of Yorkſhire, it was a meaſure ſo proper, that he ſhould have thought himſelf no ways fit for the truſt repoſed in him, if he had neglected one moment after he came into office, to reinſtate that nobleman in a poſt of honor, which had been ſhamefully taken from him, on account of his giving a free and honeſt vote in the houſe of Peers. The Duke of Portland, who was to ſucceed Lord Carliſle, would, he truſted, have power to form a ſtrong and permanent union, ſo eſſential to the intereſt of both kingdoms, and which would, in his opinion, be far better than a haſty, undigeſted motion, artfully introduced to ſeek a little popularity, although the honorable gentleman had diſclaimed any ſuch idea.

Mr. Martin, and Lord George Cavendiſh, jun. held nearly the ſame language.

Mr. T. Pitt could ſcarcely recover from his aſtoniſhment, that any man, a ſervant of the public, ſhould dare to refuſe giving every information in his power, when called upon by his majeſty's miniſters; nor was he able to expreſs ſufficiently his indignation at finding a member of that houſe introduce

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ſo ſlightly a motion of ſo much conſequence, that upon it might depend the ſalvation of Great Britain and Ireland?

Mr. Burke adverted to the arduous ſituation of the new miniſters, when ſo many objects preſented themſelves to their conſideration; the ſtate of America, of Ireland, of our finances, &c. The motion before the houſe went, in ſome meaſure, to tear aſunder the connexion between England and Ireland, and yet the houſe was to be hurried into a deciſion in a moment upon a queſtion of ſuch magnitude: he would not give an opinion on the ſubject; he would not ſay whether the 6th of George I. ought, or ought not to be repealed; but he held that nothing could be more mad than to call upon parliament to proceed to ſuch a meaſure in a moment, without giving time for any deliberation. He then mentioned the neceſſity of bringing in his own bill as ſoon as poſſible, for regulating his majeſty's houſehold.

General Conway once more called upon Mr. Eden to withdraw his motion; but not finding that gentleman willing to do it, he grew very warm, and ſaid, that for having introduced ſuch a queſtion, he ought to have a motion paſſed upon himſelf. Here there was a great cry of hear! hear! move! move!

Mr. Herbert ſaid, he left Ireland about a twelvemonth ſince; that he was perfectly convinced the people of that country wanted nothing more than their rights; and as he was thoroughly convinced his majeſty's miniſters were ſincere in their declarations, he thought the right honorable gentleman's motion quite unreaſonable.

The Secretary at War (Mr. T. Townſhend), begged the houſe would recollect, that in every buſineſs where Ireland was concerned, he had uniformly been an advocate for that country; and if the late wicked miniſtry had liſtened to the prayers of the different petitions from that kingdom, the preſent alarming criſis had never happened. He had, he ſaid, as high an opinion of the honor of Lord Carliſle as any man breathing, and ſtood up for his honor as much as his ſecretary had done: his abilities were ſuch as required but little help; they would always ſhine forth and ſhew themſelves. His lordſhip, he was confident, would not approve of the conduct of his ſecretary, in withholding his knowledge of the ſtate of Ireland from the preſent miniſtry, on account of any little paltry perſonal grievance. His lordſhip, he was certain, did not reſign on purpoſe to be preſſed to ſtay; he was a nobleman that would de-

ſpiſe ſuch conduct, and would not ſuffer himſelf to be made the cat's paw of his ſecretary, or any other man breathing.

The motion to-day, he ſaid, ſo far from being meant as a conciliatory meaſure, was intended as a fire-brand, to kindle and ſtir up the flame between the two countries, by firſt propoſing a thing, which it was impoſſible gentlemen could inſtantly decide on, and then threatening, that if it were not inſtantly complied with, he ſhould be obliged to acquaint the Houſe of Commons of Ireland, that it had been rejected. He adviſed the right honorable gentleman to withdraw his motion, and not trouble the houſe to divide.

Mr. Baker ſaid, he wondered at the learned gentleman's declaration, that there was no difference between withdrawing a motion, or getting rid of it by reading the order of the day. That learned gentleman was capable of ſeeing and making proper diſtinctions if he choſe it; he was therefore not a little ſurpriſed to hear him argue in ſo unaccountable and extraordinary a manner. He expreſſed his doubts whether Mr. Eden would make a fair repreſentation of that day's debate in Ireland.

The Speaker called Mr. Baker to order, and ſaid, no member could, conſiſtently with the rules of the houſe, argue in that manner of another member's fairneſs.

Mr. Baker ſaid, he ſpoke of Mr. Eden as a miniſter, and not as a private man. In the latter capacity, from early habits of friendſhip and intimacy, he had a great reſpect and eſteem for him; but though he wiſhed him perſonally no ill-will whatever, he thought a motion of cenſure neceſſary, if the motion were not withdrawn.

Mr. Courtney ſaid, that no man in the houſe liſtened with more pleaſure than he did, to the juſt and liberal ſentiments of the right honorable gentleman on the floor, (Mr. Fox), as declaratory of the wiſe and generous ſyſtem of policy meant to be purſued by the preſent adminiſtration, in reſpect to Ireland. Yet he was extremely concerned and ſurpriſed to hear the right honorable gentleman aſſert, that the preſent motion (if come into), would be equivalent to unconditional ſubmiſſion from his country, and a relinquiſhment of all her rights over Ireland.

He ſaid, he little expected ſuch a conſtruction from the right honorable gentleman. Unconditional ſubmiſſion was a term often and juſtly ſtigmatized by the right honorable gentleman himſelf in reſpect to America, and which he never expected to have heard in a debate, in relation to Ireland.

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No man in that houſe hated the term more than he did. The people of Ireland were too generous, too ſpirited, and felt too much for the honour of this country, to expect or demand ſuch a humiliation from Great Britain.

He declared, that from his preſent correſpondence with gentlemen, with whom he had the honour of ſerving, and who now ſerved in the volunteer corps, and who would be found ready at every hazard, with temper, but with firmneſs, to maintain their juſt right, he found the general opinion of the people to be, that nothing but a repeal of the exceptionable part of the 6th of George I. which was ſtated with ſo much accuracy, and preſſed with ſo friendly a zeal to Ireland, could ever allay the jealouſies of that country, and totally efface all apprehenſions at the overbearing authority of Great Britain. This, he obſerved, was the well-weighed and ſettled opinion of men, to whoſe animated and generous exertion it was owing that Ireland was at this day a part of the Britiſh empire; that nothing was ſo dangerous as provoking men, who, by their uniform and loyal conduct for a ſeries of years, had ſhewn themſelves ſlow to anger; and who had connected a due execution of the laws, and maintenance of the internal civil police of the country, with thoſe conſtitutional principles of liberty, which they were determined to ſupport.

He added, that if it were not preſumption to ſuppoſe, that the opinion of an individual could add weight to that of a whole nation, he ſhould not ſcruple to aſſert, that what the honorable gentleman had declared to be the claims of Ireland, were perfectly reaſonable and well founded; and as an evidence that theſe were his real ſentiments, he pledged himſelf on all occaſions, as well as the preſent, to ſecond the ſame, or even a more comprehenſive motion, to aſcertain and eſtabliſh clearly, and beyond all poſſibility of doubt, the juſt and conſtitutional rights of Ireland.

He ſaid, he would not enter into a formal diſcuſſion of the right of judication in the Houſe of Lords in England, that not being the direct object of the honorable gentleman's motion, though it had been incidentally introduced into the debate, further than to obſerve, that the aſſumed juriſdiction of the Engliſh Houſe of Lords over the courts of law in Ireland was not in practice till long after the reſtoration, and then aroſe from neceſſity; for there was no parliament convened for many years, and conſequently no Houſe of Lords ſitting: in order, therefore, that the ſubject might not be deprived of the right of appealing, it occaſioned the neceſſity of allowing appeals to the Houſe of Lords in England. So much, Mr. Courtenay ſaid, he had remarked, in re-

ſpect to that part of George I. which related to judicature: with regard to that part of it, which aſſerts the ſupremacy of the Engliſh over the Iriſh legiſlature, he ſhould only obſerve, that clauſe was introduced unneceſſarily, and was not called for by the preamble, the profeſſed object of which was only to maintain that ſuperintendant judicature of the Houſe of Lords over the courts of juſtice in Ireland: but the act goes much beyond that point, when it maintains the ſupremacy of the legiſlature of this country over Ireland. In ſhort, what the act profeſſed to do is limited to the judicature; and what it enacts, is inſidiouſly extended to the ſupremacy of one legiſlature over the other. Beſides, he was ſurpriſed, that gentlemen ſeemed to conſider their claim of exemption from the aſſumed control of that country, as a novelty, when, in fact, the Iriſh, whenever conſtitutional points were diſcuſſed, maintained their exemption from the Britiſh legiſlature as their undoubted right; but having at that time only reaſon on their ſide, they ſubmitted through neceſſity: at this auſpicious period, however, when they not only had reaſon to ſupport their claims, but volunteers to enforce them, they truſted, that by the united aſſiſtance of both, their loyal requiſitions would be attended to, and their juſt rights eſtabliſhed.

He declared he could not conclude without ſaying a word to the reprehenſion, which had been given to the honorable gentleman who had made the motion, as if it had ariſen from perſonal pique and diſappointment. He ſaid, he was perſuaded, the honorable gentleman had acted in England that day as he had acted in Ireland during the whole courſe of his adminiſtration, from a ſincere anxiety to promote the happineſs and welfare of both countries; and that it was from that conviction, and not from any concert or previous information he had taken the liberty of ſeconding the motion, of returning the honorable gentleman thanks for it; and of declaring, that whenever that motion ſhould be made again, he would again do himſelf the honour to ſecond it. He added, that ſo little was he acquainted with the intention of the honorable gentleman to move the preſent queſtion, that he even apprehended the honorable gentleman had acted by the approbation, and in concert with the preſent adminiſtration. He was induced to believe this, by what the honorable gentleman had mentioned of the precipitate recall of Lord Carliſle, as he conceived, that in order to give the noble lord credit and popularity on his recall, his ſecretary had been permitted to move for the repeal of acts, which would come as a general obliging condeſcenſion from this country,

country, inſtead of ſuper-inducing a neceſſity in the Iriſh Houſe of Commons to come to an explicit and ſtrong reſolution of what they and their conſtituents conceived to be their juſt, invariable, and conſtitutional rights.

He concluded with declaring, that in his earneſt deſire to ſecond the motion, he had no other motive than zeal to promote a cordial conciliation between the two countries; and to remove for ever all cauſe of jealouſy and diſſatisfaction; and he ſincerely truſted that this debate would tend to no other conſequences.

Mr. Alderman Townſhend ſpoke with indignation of the conduct of the right honorable gentleman who came over to this country: he withheld all information from government; forgot or neglected his duty as a ſervant of the public; and juſt, becauſe he choſe to fancy that the Earl of Carliſle had a feather plucked from his cap, he refuſed to ſerve his country in one of the moſt critical and alarming moments that we ever ſaw. He thought that this conduct was ſo truly improper and dangerous, that parliament could not, with any regard to its own dignity, over-look ſo flagrant a neglect of duty in one of the public ſervants. Was the right honorable gentleman to conceive, that he was the ſervant of the lord-lieutenant of Ireland, and not the ſervant of the public; or that he could thus mix perſonal conſiderations with official duty? It was certainly fit and candid, that his majeſty's miniſters ſhould be allowed the neceſſary time to frame and bring forward their meaſures, and not on the firſt day of their appearance in the houſe be treated, as they had been by the right honorable gentleman. The obligation which that gentleman was under, as one of the miniſters of Ireland, to give every aid and aſſiſtance to government which he could do, and by which the intereſt of his country might be promoted, was of ſo ſerious a nature, that it ought not to be ſported with; and he ſhould not be ſurpriſed, if, when he went back to the country of which he is a miniſter, the Houſe of Commons ſhould impeach him for his neglect of duty. The right honorable gentleman declared, that he abſolutely believed, that if the order of the day, or the previous queſtion, ſhould be put upon his motion, it would produce the moſt alarming conſequences. If this then were his opinion, why did he force the houſe to this dangerous meaſure, by perſiſting in his motion? He would, and he ought to be reſponſible for all the conſequences of his conduct.

Mr. Mansfield (late Solicitor General), defended Mr. Eden's conduct; but declared it appeared to him to be a matter perfectly indifferent whether his honorable

honorable friend withdrew his motion, or whether it were got rid of by a previous queſtion, or by reading the order of the day upon it. Mr. Mansfield ſaid, he was ſomewhat amazed to hear his honorable friend treated with ſo much harſhneſs, and his motion talked of, as if it were taking the houſe by ſurprize. There was not a gentleman preſent, he conceived, who muſt not be well aware, that Ireland was in a moſt alarming and critical ſtate. The journals of the Iriſh parliament, and all our own newſpapers, plainly evinced the fact. It therefore ſtruck him as an idea perfectly abſurd, to call his honorable friend's motion precipitate or raſh. It was in his mind highly neceſſary; but if the houſe were of another opinion, it mattered not, in his idea, whether it were got rid of one way or the other.

Lord Newhaven hoped, that it was perfectly underſtood in that houſe, and that it would go forth to the world, that his majeſty's miniſters did not reject this motion from any diſlike to the buſineſs, but that they would, with all poſſible ſpeed, give every attention in their power to ſo important an object.

Mr. Eden roſe, and wiſhed to know if he gave up his motion, whether the right honorable ſecretary would pledge himſelf that a repeal of the act of the 6th of George I. ſhould take place.

Mr. Sheridan ſaid, he could not ſit ſtill and ſee a queſtion of this importance, which was then juſt going to be put from the chair, rejected or evaded in the manner which it was likely to be. He could not diſmiſs his hopes that the right honorable gentleman, who had moved it, might yet be induced to withdraw it; and he was convinced the greateſt miſchief would follow its being otherwiſe diſpoſed of. The learned gentleman, who was the only perſon who had attempted to defend the extraordinary conduct of the ſecretary for Ireland, had taken great pains to prove, that it made no difference in what manner the motion was got rid of. He differed entirely from him on that head; and he had the authority of the honorable gentleman himſelf, who had made the motion on his ſide, for he had expreſsly declared, that if the motion were evaded by the previous queſtion, or by moving the order of the day, he apprehended the moſt ſerious miſchiefs to Ireland would follow. He called, therefore, upon that honorable gentleman, if he had any real feeling for the intereſts and peace of either country, not to perſevere in bringing on the miſchiefs which he acknowledged he foreſaw. Mr. Sheridan then proceeded to ſtate the whole of Mr. Eden's conduct, which he attacked with great acrimony, as ſcandalouſly unfair to the new miniſters, who, he was convinced, had the faireſt

faireſt intentions towards Ireland; yet if he declared himſelf ſo decided an enemy to the principle of the declaratory law in queſtion, which he had always regarded as a tyrannous uſurpation in this country, that though he could not but reprobate the motives which influenced the preſent mover for its repeal, yet if the houſe divided on it he ſhould vote with him. With regard to the fair repreſentation of the intentions of the new miniſters, which the honorable gentleman had been called on by the noble lord, who ſeconded the motion, to give to the Iriſh on his return, he could give but little credit to his intentions on that head; it was his buſineſs, and his direct and explicit duty, to have given a fair repreſentation, and full information of the ſtate of Ireland to his majeſty's preſent miniſters here, for which purpoſe he had been ſent to London. He had deſerted that duty, and from motives of private pique and reſentment, had with-held all information from them on the ſubject. It was but reaſonable, therefore, to ſuppoſe, that the ſame principles would direct his conduct on his return to Ireland, and the ſame little motives of reſentment would lead him to with-hold from the parliament of that country the ſatisfactory information of the intentions of the new miniſters, though it were equally his duty to report it.

He then animadverted on the aſſertion of the ſolicitor general, that every attention had been given by the late miniſters to prevent theſe jealouſies riſing in Ireland, which he ſaid was ſo far from being the caſe, that the whole of the preſent commotions there were chargeable to their ſcandalous neglect, in having ſuffered the name of Ireland to be inſerted in no leſs than five Britiſh acts of parliament; one of which had been publiſhed by the ſecretary himſelf in the Dublin Gazette, after they had given the Iriſh the moſt ſolemn aſſurances, that this claim ſhould never be attempted to be exerciſed in a ſingle inſtance. Mr. Grattan had produced theſe acts in the Iriſh Houſe of Commons, and this apparent violation of faith with them it was, which had rouſed the preſent ſpirit of jealouſy and reſentment in their parliament, as well as among the volunteers. He concluded with repeating his call on Mr. Eden, to withdraw his motion, and not to mangle and diſgrace a good and honorable cauſe, through the ſelfiſh motives of party, pique, and private diſappointment.

The ſpeaker was again proceeding to put the queſtion, when

Mr. Eden roſe once more, and, after ſome heſitation and explanation, conſented to withdraw his motion.

No.

No. LXV. *a.*

Debate upon Iriſh Affairs in the Britiſh Houſe of Peers. (*Page* 477.)

MARQUIS of Rockingham roſe, and entered into a long, computative, and arithmetical detail, ſhewing the comparative ability of Ireland to bear burdens, to what it had been at former periods, not far diſtant. His lordſhip's opening was chiefly directed to meet ſuch objections as he imagined might be made againſt the proofs he meant to adduce, of the real diſtreſs of Ireland. His detail was accurate and important, as it preſented two objects worthy the attention of the Britiſh adminiſtration; firſt, ſo far as the conſequences might be ſuppoſed to affect them perſonally; ſecondly, as it might probably affect, and that in a moſt ſerious manner, the people of Great Britain. He firſt ſtated the revenues of Ireland, the outgoings and ſavings in the year 1775, during the adminiſtration of the late Marquis of Hartington, afterwards Duke of Devonſhire, and proceeding regularly, through each ſucceſſive adminiſtration, till he brought it down to the preſent viceroy, Lord Buckinghamſhire. In 1755, and for ſome years after, the whole of the civil and military eſtabliſhment amounted, for the two years, that being the mode of voting the parliamentary grants of that kingdom, to about 1,200,000*l.* on an average, 600,000*l.* per annum; whereas, of late years, the grants were little ſhort of 2,000,000*l.* or 1,000,000*l.* per annum. At that period too, in the courſe of five years peace, the debts contracted during the preceding war had not only been paid off, but there was a ſurplus of 260,000*l.* in the national treaſury, the greater part of which was applied to public uſes, ſuch as canals, churches, bridges, &c. in bounties for the encouragement, and promoting the extenſion of agriculture, arts and manufactures, land-carriage of corn, carrying it coaſtwiſe, to the Dublin Society, linen manufacture, and the fiſheries. His lordſhip made a progreſſive ſtatement of the grants and taxes, the civil and military eſtabliſhments, and penſion liſt, under each ſucceſſive adminiſtration, that of the Duke of Bedford, Lord Halifax, Duke of Northumberland, and the Lords Weymouth, Briſtol, Townſhend, Harcourt, and the preſent viceroy, in the courſe of which he ſhewed, that the public expenditure imperceptibly increaſed in each reſpective

tive branch. He ſtated, that a debt was neceſſarily incurred during the late war, as the outgoings exceeded the public income. But what rendered the condition of Ireland a moſt extraordinary one indeed, and contrary to the uſage of all other ſtates under the ſun, was, that after the peace of 1762, inſtead of paying off the debts incurred during the preceding war, they yearly continued to augment gradually and regularly, for the laſt fifteen years of peace; a circumſtance not paralleled in any country he ever heard or read of; nay, more, that the debt increaſed in oppoſition to new taxes. Taxes, in the courſe of the laſt four ſeſſions, were laid on; money was uniformly borrowed; and, at the end of the two years, when the national accounts came to be ſettled, freſh deficiencies appeared on each new loan, and freſh taxes were laid on, in conſequence of them. In ſhort, it was a mode of policy adopted, that of taxing and borrowing and pledging the public faith, till not a ſhilling more could be procured. A tontine ſcheme, or a plan of paying an high intereſt on annuities granted upon lives, with benefit of ſurvivorſhip, was the firſt; this not anſwering the exigencies of government, ſtamp duties were then laid on; and laſtly, a vote of credit; notwithſtanding which, ſuch was the exhauſted, impoveriſhed ſtate of that country, that no money could be procured upon ſo precarious a ſecurity. Indeed, the ſecurity amounted to no more than a mere national engagement, that the public creditors would be paid ſome time or other; but that the funds offered as a ſpecific ſecurity would prove equally deficient and unproductive, with thoſe, which had cauſed the very neceſſity of the deſired loan. The debt ſtill continued to accumulate, and in the year 1777, the expenditure exceeded the receipts in the ſum of 260,000*l.* So long as England continued in a proſperous ſituation, though Ireland were drained, ſhe had recourſe to this country; but ſuch was the ſtate of both countries, in the ſpring of 1778, although the revenues of Ireland were hawked about London ſtreets, and offered to be mortgaged for the ſum of 300,000*l.* a ſingle ſhilling could not be procured or borrowed upon them. After dwelling on thoſe circumſtances for a conſiderable time, he opened another head of argument, that of the immediate diſtreſſes of Ireland, which, he ſaid, muſt in the end materially affect the commerce and manufactures of Great Britain. His lordſhip ſtated the average of the exports to that kingdom, both from Scotland and England, for the laſt eleven years, ending 1777. From Scotland, upwards of three millions; from England, upwards of eighteen millions: or from Scot-

land, 300,000*l.* and a fraction; from England, 1,600,000*l.* and a fraction yearly; the whole making twenty-two millions, or upwards of two millions a year, Britiſh export. It might be ſaid, does not Great Britain take the linen, proviſions, &c. of Ireland in return? Certainly; but it was to be conſidered on which ſide the balance lay, whether in favor of this or that country. He then, from authentic papers, ſhewed that the balance of trade in favor of Scotland was above a million and a half, and in favor of England above five millions, for theſe laſt eleven years. This led him to his grand concluſion, that of motives of intereſt; becauſe, by the accounts, at laſt made up, it appeared, that the exports to Ireland for the laſt year had decreaſed one fourth: for in 1777 it was upwards of two millions, and in 1778 under a million and a half. His lordſhip entered into ſeveral circumſtances, which came within his own knowledge, particularly in the Weſt Riding of the county of York: by the laſt returns of the number of broad woollens manufactured in that diſtrict, it appeared, that there had twenty-one thouſand pieces leſs than the average of ſeveral years before, and eight thouſand narrows, or foreſt cloths; that he had made it his buſineſs to enquire the reaſon, and found it had been the failure of the trade of Ireland. He ſome time ſince converſed with a very conſiderable manufacturer in his neighbourhood in the country, relative to the ſtate of the trade of Ireland, ſo far as it was connected with the woollen manufacture carried on in the Weſt Riding of York, who conſtantly every year went over to Dublin to take orders, and who aſſured him by a letter received from his correſpondent in that city, he was warned not to come or ſend; for he could not enſure ſafety to either his property or perſon. His lordſhip, beſides the proof of the poverty of Ireland, by its daily incurring new debts, the inſufficiency of the funds appropriated for the payment of intereſt and annuities, payable to the public creditors; the almoſt bankrupt ſtate of the exchequer, and ſeveral other evidences of a ſimilar nature, mentioned the circumſtance of our being obliged to provide, in the committee of ſupply of the preſent year, 64,000*l.* for the pay of ſix regiments of foot, and one of dragoons, ſerving in America, or conſent to have them diſbanded. His lordſhip then proceeded to enumerate the ſeveral petitions ſent by ſome of the counties of Ireland, the aſſociations at the Tolſel in Dublin, and at ſeveral of the county meetings, particularly at Cork, Kilkenny, Wicklow, and Roſcommon, ſome of them expreſsly reſolving not to import, or uſe, or purchaſe, any of the manufac-

tures

tures of this country; others, leſs violent, Cork in particular, not to purchaſe or uſe any goods, but ſuch as were manufactured in that kingdom. His lordſhip earneſtly, nay, very warmly, preſſed the neceſſity there was for giving Ireland relief, upon every principle of gratitude, intereſt, and ſound policy, and pointed out the danger of irritating the people, leſt, by being driven to extremities, they might in an act of deſpair, be forced into reſiſtance. He expatiated greatly on their loyalty to the government, and their reverence, zeal, and affection for the people of this country; it would therefore, he thought, as a mere matter of policy, be extremely imprudent to do any thing, which might tend to eſtrange Ireland from her reſpect and veneration for her elder ſiſter. His lordſhip, as well by his details as in arguments, contended, that adminiſtration had neglected its duty towards Ireland; that all care and protection had been withdrawn; and that Ireland was preciſely in that ſituation, which, if not ſpeedily remedied, would, in the opinion of many, juſtify reſiſtance. He ſaid, the people of Ireland, by the moſt accurate computation, amounted to two millions three hundred thouſand ſouls, whereof five hundred thouſand were believed to be Proteſtants, in the proportion of three hundred thouſand Diſſenters to two hundred thouſand of the eſtabliſhed church. The Iriſh Catholics, it was true, had been favored with ſome degree of religious toleration, and he was happy to ſay, ſo far as the example ſet by England could be ſuppoſed to operate upon the ruling powers in our ſiſter kingdom, he took a ſhare in the merit of that meaſure. On the other hand, ſo reſpectable and powerful a body as the Iriſh Diſſenters were, ought not to be treated with contempt and unkindneſs, as they certainly had been in one inſtance; he meant the clauſe inſerted in the bill for giving an indulgence for Roman Catholics, which clauſe was loſt in the privy council of this kingdom. But he did not found his argument upon this or that diſtinction. People of all ranks, qualities, and religions there, were united as one man; they forgot all animoſities and jealouſies in the ruin, which threatened them; and the great point of union and national cement which kept them together was, not to import, purchaſe, or deal in any article of the produce or manufacture of this country. In this part of his argument he cenſured miniſters highly, for their total neglect of the defence of that country; and pointed out the danger of permitting the people there to aſſociate and embody in troops and companies contrary to law. When he ſaid this, it was his opinion they had done very properly, in endeavouring to defend themſelves

when neglected by government. But miniſters ſhould have prevented the neceſſity of having recourſe to ſuch military aſſociations; or if that were not practicable, in the preſent ſtate of affairs, the people ſhould have been legally commiſſioned and enabled to take arms. The matter now wore a very ſerious appearance; for though he were firmly perſuaded, in caſe that country ſhould be invaded by a foreign force, which was generally believed to be in contemplation, the Iriſh, with their uſual loyalty and ſpirit, would defend themſelves, and bravely repel the invaders; yet it was worth conſidering how far the ſame ſpirit might be exerted in reſiſting oppreſſion and injuſtice from any other quarter. After recapitulating the many and very important advantages we derived from Ireland, through the medium of our trade and commerce, the acceſſion of ſtrength ſhe afforded in time of war, and the immenſe ſums ſhe remitted to her abſentees, monies paid officers, penſioners, or ſpent on motives of pleaſure or buſineſs, at the univerſities, inns of court, appeals in law and equity, &c. he obſerved, how unkindly ſhe had been treated in every inſtance, how cruelly and oppreſſively in ſome. He reminded their lordſhips of the compact made between both kingdoms in King William's time, when the parliament of Ireland conſented to prohibit the export of their own woollen manufacture, in order to give that of England a preference, by laying a duty equal to a full prohibition upon every ſpecies of woollens or even of the raw commodity; and of the ſolemn aſſurance given by both the houſes of the Britiſh parliament, that they would give every poſſible encouragement, and abſtain from every meaſure, which could prevent the linen manufacture to be rendered by the ſtaple of Ireland. But how had England kept its word? by laying duties or granting bounties to the linens of Britiſh manufacture, equal to the prohibition of the Iriſh, and at the ſame time giving every kind of private and public encouragement to render Scotland a real rival to Ireland, in almoſt every ſpecies of her linen fabrics. After deſcribing the private as well as public diſtreſſes of Ireland in the moſt feeling language, his lordſhip proceeded to contraſt the deſerts of the Iriſh nation, whoſe loyalty kept pace with the extent and magnitude of the calamities they felt. He inſtanced, in particular, their friendly and affectionate behaviour ſince the commencement of the American war; the zeal and fidelity of that kingdom in the time of the two laſt Scotch rebellions; the uncommon efforts ſhe made during the late war, and her uniform loyalty and attachment to this country in every trying exigency when engaged in a foreign war. He

ſaid,

ſaid, he hoped, the importance of the object would ſtrike every noble lord with the propriety, nay, the abſolute neceſſity of his motion; that the houſe would treat it with that temper, coolneſs, and moderation, which it ſo apparently merited; and attend to it as a matter in which every man in the nation was moſt deeply intereſted. He truſted, that their lordſhips would not be led away by any partial ideas or narrow diſtinctions of local benefit or advantage, but meet it fairly as a queſtion of ſtate, in which both kingdoms had an equal intereſt. He would be extremely ſorry, that this or that town or diſtrict, that Mancheſter or Glaſgow, or any other place, would ſuperſede or render of none effect the wiſdom of their lordſhips' deliberations. He wiſhed farther, that on the preſent occaſion, all party or perſonal conſiderations would give way to the general good, and that as they meant all the ſame thing, the intereſt of both kingdoms, their lordſhips would not entertain a ſecond opinion on the ſubject. It was a great object, and ſhould neither be loſt, abandoned, or evaded. It had for ſome years been unfortunately too much neglected, but matters were at length arrived juſt at that critical ſtate, which would render it not only unwiſe and impolitic to loſe a moment, but would afford an inſtance of obſtinacy and want of feeling, little ſhort of political inſanity. His lordſhip concluded a very long ſpeech, in the courſe of which, he ſpoke to a great variety of matter of leſs importance, with making the following motion: "That this houſe taking into conſideration the diſ-
" treſſed and impoveriſhed ſtate of the kingdom of Ireland, and being of
" opinion, that it is conſonant to juſtice and true policy to remove the cauſes
" of diſcontent by a redreſs of grievances, and, in order to demonſtrate the
" ſenſe, which this houſe entertains of the merits of that loyal and well deſerv-
" ing nation, this houſe doth think it highly expedient that this important
" buſineſs ſhould be no longer neglected, and that an humble addreſs be pre-
" ſented to his majeſty, that his majeſty would be graciouſly pleaſed to take
" the matter into his moſt ſerious conſideration, and direct his miniſters to
" prepare and lay before parliament ſuch particulars relative to the trade
" and manufactures of Ireland, as may enable the national wiſdom to purſue
" effectual meaſures for promoting the common ſtrength, wealth, and com-
" merce of his majeſty's ſubjects in both kingdoms." Lord Viſcount Weymouth roſe in reply, and oppoſed the marquis's motion on two grounds; becauſe the houſe had no paper whatever regularly before them, relative to the diſtreſſed ſtate of Ireland, which was held out as the ground of the motion

that

that amounted to a matter of fact; ſecondly, becauſe if a relaxation or repeal of any of the reſtrictive laws relative to the trade of Ireland ſhould be moved, that could properly originate only in the other houſe. His lordſhip, after expreſſing his beſt wiſhes for Ireland, ſaid, the matter at a future period might be taken up, and the neceſſary meaſures for affording relief to Ireland be adopted; but at preſent, without proof ſufficient to warrant the terms in which the addreſs was couched, and without the means of originating ſpecific relief, he thought it his duty to move the previous queſtion. Duke of Chandos, after giving his opinion, that that part of the addreſs which conveyed a cenſure or a charge of neglect in miniſters, did not meet his idea, both becauſe he thought with the noble viſcount, that the houſe were not in poſſeſſion of any evidence of the fact of neglect therein charged; and, that he had a full confidence in the conduct of adminiſtration. He highly approved, in other reſpects, of the motion made by the noble marquis; and ſaid, one principal cauſe of the diſtreſs felt by Ireland, was the continual drain from that country, in order to pay the great land owners reſident here, many of whom, in their whole lives, never ſpent a ſhilling in the country from whence they drew their incomes. That, he ſaid, was ſyſtematic grievance, which admitted of no remedy but a tax upon abſentees. Though he poſſeſſed a conſiderable property in that country, he ſhould chearfully aſſiſt in any meaſure for giving the Iriſh that ſpecies of relief, for he was perſuaded, that whatever elſe might be done to relieve them, if that cauſe of impoveriſhment ſhould not be met in ſome way or other, the ſame principle would continue to produce ſimilar effects, in a greater or leſs degree. His grace before he ſat down expreſſed his approbation of the previous queſtion, the propoſitions made by the noble marquis being ſuch, as that he could neither give it a direct negative nor affirmative. Marquis of Rockingham roſe, he ſaid, to take notice of ſome expreſſions, which had fallen from the noble viſcount high in office, and the noble duke who ſpoke laſt, affirming, that he had heard with much ſurpriſe the objections now ſtarted. He repeated, with ſome warmth, that Ireland had been cruelly and injuriouſly treated, and that it would preſent a mixture of folly and ingratitude, which nothing but the dulleſt obſtinacy and ignorance could explain, if we refuſed to lighten thoſe intolerable burthens, which the reſtriction of our trade laws laid upon that loyal, affectionate, and enduring people. As an additional argument, why it made it neceſſary and prudent in the king's ſervants to agree to his motion, he adverted

verted to the formidable military aſſociations now on foot in that kingdom; and deſired to know if they had been informed of their nature and extent. This, he ſaid, was a matter truly alarming, if the Britiſh government meant to adhere to their former ſyſtem of oppreſſion and injuſtice; and therefore it highly behoved miniſters, if they were obſtinately bent to throw every part of the empire into a flame, to ſeriouſly inveſtigate the degree of reſiſtance they were likely to meet. With regard to the particular ſentiments of the noble viſcount and the noble duke, he confeſſed, he was unable to repreſs his feelings, when they imputed to his motion that it was ſo framed as to contain a cenſure upon adminiſtration. Nothing on earth was more diſtant from his thoughts, as he endeavoured all in his power to draw it up in ſuch a manner, as to prevent the poſſibility of any objection that might ariſe on the ground of perſonality. When a motion was made a ſhort time ſince for the removal of a noble earl over the way (Sandwich) from his majeſty's councils, he did not at all wonder at his brethren in office riſing to oppoſe the motion; "no, let our noble friend's crimes be ever ſo great, we cannot "abandon him. We do not care a farthing about that; he is a pleaſant "companion, and we do not chuſe to part with him." There is, added the marquis, nothing extraordinary in all this; but it appeared to him very unaccountable indeed, how miniſters ſhould object to the giving relief to Ireland, for certainly any oppoſition to it could admit of no other fair or rational conſtruction. Lord Townſhend roſe, he ſaid, to defend his own adminiſtration againſt the general charge of an increaſed eſtabliſhment, which the noble marquis ſaid, at the opening of his ſpeech, had gone on in a progreſſive ſtate of augmentation ſince the viceroyſhip of the Marquis of Hartington, afterwards Duke of Devonſhire. He compared the eſtabliſhment during his lieutenancy with thoſe of his predeceſſors and ſucceſſors in office ſince the year 1763. In that year the civil eſtabliſhment amounted to no more than 105,000*l.* In that of the noble earl over the way (Hertford) there was a ſmall addition. In the adminiſtration of Lord Briſtol 8000*l.* had been added. During his own adminiſtration, in the courſe of ſix years, from September 1767 to 1772, the civil expences were leſs by 8000*l.* but ſince that time the civil expences had riſen to 137,000*l.* His lordſhip, in expreſſions of the warmeſt affection for the people of Ireland, pleaded their diſtreſſes and deſerts in very forcible language; ſaid, he ſhould be wanting in the feelings which gratitude ought ever to inſpire, if he did not take the preſent opportunity

tunity of teſtifying his regard for them, and his earneſtneſs to procure them every degree of redreſs and indulgence, which their melancholy ſituation demanded, which juſtice dictated, and generoſity and national gratitude rendered a poſitive duty on the part of a great nation. His lordſhip adverted, in confirmation of thoſe favorable expreſſions of the noble marquis, to the many proofs Ireland had given in the courſe of almoſt a century to aſſiſt Great Britain in her wars; and contended, that all the public diſtreſſes ſhe now felt were in conſequence of her loyalty and affection, particularly her recent diſtreſs, which ſolely aroſe from the aſſiſtance ſhe had given to this country in carrying on the war againſt our rebellious ſubjects in America. With regard to local or partial diſtinctions, he diſclaimed them, as beneath a wiſe and great nation; they ſhould never be permitted to mix in queſtions of ſuch vaſt magnitude and extent as the preſent. He reſided himſelf in a country full of manufacturers. His eſtate and property were within that county (Norfolk), and if the manufacturer was to be affected by granting any indulgence to Ireland, he muſt ſuffer his ſhare of the loſs; but though he wiſhed them and himſelf every thing which could be derived from trade and manufactures carried on upon a liberal plan, God forbid he ſhould, upon any motives of prejudice or ſelf-intereſt, give countenance to meaſures formed upon a narrow or partial ſcale of politics. He ſhould, in point of union and national ſtrength, ever conſider England and Ireland as one country, and the people of each bound and connected by the ſame objects, the proſperity of the whole. The noble marquis had dwelt upon one argument to induce their lordſhips to agree to the propoſed redreſs, which, he confeſſed, did not ſtrike him in the ſame light it did the noble lord; that was the poſſibility or probability of reſiſtance, in caſe this country ſhould not think it expedient to enter into a conſideration of the ſubject matter at preſent. That was an argument ill founded, that ſhould never operate upon his conduct, as a peer of parliament. He hoped that their lordſhips would be induced to act upon principles of juſtice and humanity, from motives of affection and ſound policy, and not from threats of reſiſtance or compulſion on our part. But he would ſpeak to the fact from his own knowledge; he believed, as the trueſt teſt of their affection, the Iriſh were no leſs remarkable for their patience and endurance than for their loyalty. He knew them well in every poſſible light they could be viewed, either politically or individually; and he could affirm from his own actual knowledge, that no provocation (ſuch as had been alleged

ledged by the noble marquis) could drive them to any act of violence, tending to a ſeparation or reſiſtance to this country: but if relief were not ſpeedily given to Ireland, there was another motive more ſerious, and an event much more probable than reſiſtance, which, he feared, would be the conſequence of cold indifference and neglect on our part; and that was, the people of Ireland emigrating to America, which would inevitably be the conſequence. He had often taken the liberty to preſs that conſideration on the houſe; and he was extremely ſorry to find, that his early information reſpecting Waſhington's army had proved ſo fatally true, and that we had been in part baffled in our attempts to ſubdue our rebellious colonies, by the great number of Iriſh emigrants, who, driven by poverty and oppreſſion from their native country, were compelled to enliſt in the rebel army. He concluded with ſaying, that he agreed entirely in principle with the noble marquis; but that as to the motion, ſo far as it related to the form in which it it was drawn up, he ſhould reſerve his ultimate opinion till a farther progreſs ſhould be made in the debate, and until he heard the opinions of others of his majeſty's confidential ſervants. Marquis of Rockingham roſe to explain ſome matters relative to the independent corps and companies then in arms in Ireland. He ſaid, they amounted to upwards of ten thouſand men, all acting under illegal powers, under a kind of ſuppoſition that all government was at an end. This was one unanſwerable proof to ſhew the neglect of miniſters in the performance of their duty. Why were not thoſe men embodied in the king's name? Why was not there a conſtitutional militia raiſed to anſwer the ſame purpoſe? In fine, why were not the gentlemen and yeomanry of Ireland put into ſome form, or under ſome regulation, which might ſubject them to a legal or conſtitutional controul? He was no leſs ſatisfied than the noble viſcount of the zeal, loyalty, and fidelity of the people of Ireland. He was ready to go as far as the noble lord in every degree of confidence which prudence and ſound policy would warrant, but no farther. He remembered the American war commenced in addreſſes and petitions; that when thoſe were turned a deaf ear to, they were followed with non-importation agreements. He remembered, that when bills of pains and penalties were enacting in that houſe, a ſyllable would not be heard which ſeemed to tend to meaſures of lenity. The bill was brought in a hurry, paſſed in a hurry, and we run in a hurry headlong to our ruin. To engage therefore for what Ireland might bear with patience, or draw the line exactly upon what particular occaſion or period of

oppreſſion ſhe might reſiſt, was a language which fatal experience had warned them ſufficiently, he believed, not to put too great a reliance upon. After ſpeaking for ſome time in this ſtrain, he called upon miniſters to ſpeak out, and recommended moſt warmly the neceſſity of giving Ireland ſpeedy and effectual relief. We had loſt the greateſt part of America; we were fighting with a powerful enemy for all our diſtant poſſeſſions; Scotland was in a ſtate little ſhort of actual rebellion, and Ireland was united as one man againſt us, not to purchaſe a ſingle ſhilling's worth of Britiſh property. Earl Gower propoſed a kind of compromiſe. He moved, to omit that part of the recital of the noble marquis's motion, which ſtated the exiſting grievances Ireland labours under, and the neglect imputed to adminiſtration, in not taking meaſures for their removal. His lordſhip preſſed very warmly the impropriety and danger of coming to too haſty or precipitate a vote upon a queſtion of ſuch importance. The very cure propoſed, would, in his opinion, rather ſerve to increaſe than remove the diſorder, which had been ſo fully and ably deſcribed. It ought to be ſeriouſly conſidered, that holding out falſe hopes or creating ill-founded expectations, which could not be gratified, would in the end promote thoſe evils, which it was the duty of parliament to prevent. He could never ſubſcribe to the opinion, that adopting to the extent contended for, or agreeing to the claims of Ireland, would be the means of preventing rebellion: on the contrary, he feared it might produce the very reverſe; if not in Ireland, poſſibly nearer home. The kingdom was to be conſulted. The great body of Britiſh manufacturers had rights and claims of their own, which they would not readily part with, and though the arguments uſed by noble lords might ſeem ſpecious and plauſible, he begged their lordſhips to conſider, that perhaps the very meaſures which might promiſe to prevent a rebellion in Ireland might prove the cauſe of an actual rebellion in England. He ſpoke very fully on the motion, ſaid there was no proof of ſeveral of the matters contained in the motion, and if there were, it did not appear that the diſtreſſes which Ireland felt were owing to the government of Great Britain, or the reſtrictions laid upon the Iriſh trade. If that part of the motion which took the facts as proved, and the inferences flowing from them, as ſelf-evident, were omitted, he was ready to meet the noble marquis, and adopt the other part of his lordſhip's propoſition; for at preſent there was no evidence before the houſe, that the affairs of that country had been neglected, nor was the houſe in poſſeſſion of any documents reſpecting the exiſtence of grievances there,

there, ſufficient to induce them to come to the propoſed vote. Earl of Briſtol replied, that he believed there was not a noble lord preſent who entertained the ſhadow of a doubt, that thoſe grievances ſtated by the noble marquis really exiſted. He delivered himſelf very favorably in behalf of Ireland, and ſaid he looked upon them to be the moſt oppreſſed and injured people under the ſun. Duke of Mancheſter declared himſelf of the ſame opinion; and ſaid, he could never think of giving up the ground of the motion; for, what was it, if the people in Ireland were not labouring under the greateſt national diſtreſs? And how could that be true, if miniſters had not neglected their duty, by forbearing to grant them any ſpecies of relief? His grace urged the neceſſity of doing ſomething effectual, and the doing it ſpeedily, and that for the following important reaſons. It was no ſecret, that France intended, in the courſe of the enſuing ſummer, to make an attempt on either or perhaps both kingdoms. He was well informed, that the firſt atatempt would be made on Ireland. He had it, he ſaid, from the beſt authority, that France would not appear as an enemy on the coaſts of that kingdom, to commit hoſtilities, but to offer her alliance, friendſhip and protection, in aſſiſting her to throw off the yoke laid upon the Iriſh nation by Great Britain: in ſhort, ſhe meant to hold out independency and a free trade. The miſchievous policy of that ambitious people was no longer to appear as conquerors come to enſlave, but as friends to ſuccour and relieve; no longer as the foes, but the friends of human kind, come to vindicate the rights of injured and oppreſſed nations. This was her policy reſpecting America, and this he feared would be her policy reſpecting Ireland; and he had good reaſon already to believe, that overtures of that nature had been thrown out, and that ſeveral French emiſſaries had been in that kingdom, in order to ſound the diſpoſitions of the people. This was the invaſion and conqueſt of Ireland, which he feared, and which it was their lordſhips' buſineſs to adopt the moſt ſpeedy and effectual meaſures to prevent. His grace therefore conjured and intreated miniſters to interfere in time, and do every thing in their power to prevent France from acting ſo inſidious a part, by removing thoſe evils, the exiſtence of which could only have given riſe to ſo deep-laid a ſcheme of policy and ambition. He was as well as his noble friend (Grafton) glad to ſee miniſters ſhew any diſpoſition to relent. He was fully perſuaded of the neceſſity of convincing Ireland, that we were candid, and meant at length to be ſerious; but he nevertheleſs was of opinion, that a ſubject of ſuch tranſ-

cendent importance, involving in it ſuch a variety of intereſts and objects, ought not to be lightly taken up, nor haſtily decided on. Earl Gower's motion being at length framed, it was ſuggeſted, that the original motion ſhould be firſt withdrawn. (A cry of withdraw, withdraw.) His lordſhip's motion was then read, after a few words from the Marquis of Rockingham, to ſhew the propriety of retaining that part of his motion reſpecting the diſtreſſes of Ireland, and was as follows: "That an humble addreſs be preſented to his "majeſty, that he will be pleaſed to take into his gracious conſideration, the "diſtreſſed and impoveriſhed ſtate of the loyal and well-deſerving people of "Ireland, and to direct an account to be laid before parliament of ſuch par-"ticulars relative to the trade and manufactures of Ireland, as may enable "the national wiſdom to purſue methods for promoting the common ſtrength, "wealth, and commerce of his majeſty's ſubjects in both kingdoms." The Duke of Grafton ſaid, though he liked the addreſs as firſt moved better than as it ſtood amended, he would be ready to accept of it, ſooner than run the riſque of having a negative put upon it; for though it took no retroſpective view, it looked forward to what he believed was the univerſal wiſh of every noble lord preſent; it pointed to redreſs, and for the ſake of unanimity he was ready, for one, to adopt it. Marquis of Rockingham ſaid, ſo far as the new motion pointed to future redreſs, he heartily coincided with the noble duke; but however willing he might be to ſubmit to the prevailing ſenſe of the houſe, ſo ſtrongly manifeſted on the preſent occaſion, he could ſee no reaſon againſt declaring, as an act of juſtice, and the beſt pledge of our being in earneſt, that the affairs of Ireland had been neglected. Earl of Shelburne recommended great caution and deliberation; and put in his claim thus early to be underſtood as not pledging himſelf to ſupport any meaſure, which might in its conſequences put the Iriſh upon a better footing than the Britiſh manufacturer. The Duke of Richmond, in a very able ſpeech, endeavoured to ſhew, that all local diſtinctions were the creatures of prejudice and ſelfiſhneſs. He ſaid, that Ireland and England were in fact the ſame nation and people; that any diſtinction made in favour of the latter, was a ſpecies of injuſtice to the former. A great, a loyal, and a brave people, were not to be ruined, beggared or oppreſſed, becauſe Mancheſter thought this, or this or that country were alarmed. All thoſe petty motives muſt ceaſe to operate, nor be permitted to influence our public councils, which ought never to loſe ſight of juſtice and ſound policy. His noble friend (Duke of Grafton) had talked

talked of an union. He was for an union, but not an union of legiſlature, but an union of hearts, hands, of affections, and intereſts, as had been well pointed by his other noble friend, who made the motion. This was his opinion, and he ſhould ever prefer ſuch a connexion to any other which might give offence to the people, or be effected by means, however well intended, that would lie open to many objections.

A kind of converſation now ſucceeded, in which the Duke of Richmond ſaid, he had no objection to the motion, provided it were fully underſtood on every ſide of the houſe, and candidly declared, that immediate meaſures of relief would be adopted; and that it was not merely thrown in the way to ſtop any effectual proceedings.

Earl Gower proteſted, ſo far as he could anſwer, he meant to act with candour. It was his wiſh, and it now became his particular duty; but it was impoſſible for him to ſpeak with any degree of preciſion. It was a ſubject of great delicacy, called for great conſideration, and he thought whatever might be done, it would not be prudent or politic to hold out to Ireland any promiſe, which might be received as reſtraining the wiſdom and deliberation of parliament.

The amended motion was put and carried *nem. con.*

No. LXVI. *a.*

An Addreſs from FRANCIS DOBBS, *Eſq. to the Officers and Privates of the ſeveral Companies to be reviewed at Belfaſt, the 31ſt of July*, 1782. (*Page* 488.)

GENTLEMEN,

FROM the fulleſt conviction, that this is a critical moment for Ireland, and that your conduct, at the enſuing review, will lead to the peace, honor and proſperity, or to the devaſtation, ignominy and deſtruction of Ireland, I now addreſs you.

You are addreſſed from the Belfaſt firſt company, and, if they are right, the emancipation of your country is not obtained. If they are right, you are betrayed by every man, whom you have long looked up to, as well as by thoſe,

thoſe, who were but lately in your confidence. If the firſt Belfaſt be right, a Charlemont, who has devoted his life to your rights---a Grattan, whom you almoſt adored---a Brownlow---a Stewart---an Ogle---a Yelverton---aBurgh---a Bagnell---in ſhort, every member of the ſenate, who has diſtinguiſhed himſelf in your cauſe, the cauſe of liberty, have ſold you; and ſix gentlemen, which was the number that divided againſt the reſolution in the Houſe of Commons, on Friday the 19th inſt. ("that the excluſive right of legiſlation, as well external as internal in the parliament of Ireland, was acknowledged unequivocally by Great Britain") are the only friends of their country.

Two reſolutions, namely, "That a claim of any body of men, other than "king, lords, and commons of Ireland, to make laws to bind this kingdom, "is unconſtitutional, and a grievance.

"That the ports of this kingdom are, by right, open to all foreign coun-"tries, not at war with the king, and that any burthen thereupon, or ob-"ſtruction thereto, ſave only by the parliament of Ireland, is unconſtitu-"tional, and a grievance"—were among the reſolutions at Dungannon. I admit with the firſt Belfaſt, that theſe reſolutions exclude England from either making laws internally or externally, for Ireland. I would ſhed the blood of that heart, which has uniformly beat high in your cauſe, rather than ſubmit to either; but I contend for it, and I will give you my reaſons, that as far as it is poſſible to be ſecured, you are ſecure, and that all that has been ſet up, after the faith of the nation was pledged, if obtained, would not add an atom to your ſecurity.

Dungannon reſolutions ſpread through the kingdom, and the unanimity that marked them, declared their juſtice. England felt it, and the lord lieutenant was inſtantly changed. The new lord lieutenant aſked for your demands---every thing demanded at Dungannon was demanded by parliament.---Every thing demanded by parliament was complied with---And parliament expreſſed its full and ample ſatisfaction.---Then, and not till then---then, when the honour, faith, and every thing dear to the character of a nation were pledged, it was ſuggeſted, that a repeal was not ſatisfactory, and that a declaration from England, renouncing all right to bind us, muſt be obtained. The language of better ſecurity was held out---the language of legal ſecurity was held out---let us try whether this be any thing but words. If there is meaning, if there is ſecurity, if there is honour, if there is juſtice, if there is magnanimity in it, let us contend for it. But if there is no ſe-

curity,

curity, no honour, no juſtice, no magnanimity in it, let us treat it with contempt.

Let us firſt examine this act, which is juſt repealed. The 6th of Geo. I. amongſt other things, ſays, "That England had, hath, and of right ought "to have, a power to make laws to bind Ireland." What does the repeal then ſay? Does it not ſay, that they have given up what the act contains? Does it not ſay, that they had not, have not, nor of right ought to have, a power to make laws to bind Ireland? What does Lord Abingdon's ſpeech ſay, that is ſo much taken notice of, for the bill contained in that ſpeech was not ſeconded, does not lie on the table, is not mentioned in the minutes of the day---I aſk, what does that ſpeech ſay? For it is no more than a ſpeech. It ſays, "That England now has no right to make laws for Ireland, "externally or internally, becauſe the 6th of George I. is repealed," and therefore, he moves for leave to bring in his bill, which was treated with ſuch contempt, that it was not even ſeconded. If ſuch a bill was to paſs, then, indeed, your indignation would be called for---then, indeed, I would be among the firſt to rouſe you to arms.

Let us now examine a declaration, on the part of England, renouncing all right. In the firſt place, we deny, that England ever had a right, and I ſubmit to you whether the calling for renunciation is not ſaying, England has a right. What has ſhe to renounce? Is it nothing ſhe has to renounce? If you call on her to renounce a right, do you not admit that right? Do you not furniſh her, at a future day, with an argument againſt yourſelves? But grant, that renunciation, or declaration from England would not admit her right, where is its ſecurity? Can ſhe not, the next hour, if ſhe thinks proper, make a declaration, or a law directly oppoſite? If then ſhe can, it is a ſecurity, that, for my part, I would not give a farthing for.

But it is ſaid, it would be a better ſecurity. I deny it, where there can be no ſecurity, but honour and faith, there can be no degrees of ſecurity; it being fully underſtood what is the intention of the parties in matters of honour and faith, is all that is neceſſary. Now, does any man doubt, that it is fully underſtood between England and Ireland, that we are ſatisfied, becauſe we hold that England is bound by every tie of honour and faith never to attempt to make laws, externally or internally, to bind us. As I ſaid before, no declaration or law ſhe could make, if ſhe had a mind to be perfidious, can prevent her again repealing, or again enacting. The miſtake is here. You

talk

talk of nations as you talk of men---but there is no tribunal, to which nations can appeal, to prove their better ſecurity, but Heaven. Now, let me ſuppoſe, that men have no other tribunal.---A man owed me money, and he gave me his note, that he would pay me, and I, afterwards, demanded his bond, though there was no tribunal on earth, that could enforce the payment of either. Would the bond, however high ſounding, be a better ſecurity than the note, when there was no tribunal that could enforce either? The ſame obſervation will hold with reſpect to a repeal, declaration, and renunciation. There is no earthly tribunal that can decide. We have the honour and faith of England. We can have no more. I again, and again, repeat it, if England is perfidious, our appeal muſt be to Heaven, and our arguments muſt be our arms.

But we ought to have a legal ſecurity. What is a legal ſecurity? Is it not a ſecurity, that an acknowledged legal court can try, and give judgment upon? Now how can there be a legal ſecurity between nation and nation? Where is the court you can go before to plead and enforce your ſecurity? If, then, there is no court on earth, to which you can go, there can be no legal ſecurity. The words are ſounds and not ſenſe, and I truſt will not miſlead your honeſt judgments.

What is now the fact? No one law made in England, that is not recognized by our parliament, is binding here. No one law affecting your external commerce made by England, and not recognized by your parliament, is binding on our trade. The exertion of the whole claim is laid aſide, and you are now, as free as any nation under Heaven.

Converſations, in the Houſe of Commons of England, are talked of---I do not care, if fifty tyrants there wiſhed to enſlave us, whilſt the legiſlature, as a legiſlature, repeals the law, which ſays, ſhe has a right to bind us. Do we mind, in houſes of parliament, the abſurdities of a few individuals? Do we take the raſh, the fooliſh, the mad expreſſions of individuals, as the determination of the ſenate? The argument may miſlead, but it muſt appear inſignificant, in my apprehenſion, to every man of common underſtanding.

A bill declaratory of our rights was moved for lately, and rejected; becauſe totally unneceſſary, and becauſe it would be involving a new queſtion, after the lords and commons had publicly pledged themſelves to be ſatisfied, and the people had aſſented. I will admit, that that bill could have done no harm, and I would have voted for it, had I had the honour of a ſeat in parliament,

parliament, had it been introduced before the nation had expreſſed its contentment. But I think it a matter of perfect inſignificance as to real ſecurity; and I now ſhould think the introducing it, would be the firſt breach of faith, on the part of Ireland. You have expreſſed, that you are ſatisfied—You have expreſſed, that you are ſatisfied, becauſe England has for ever relinquiſhed all claim, or right to bind you in any ſhape whatſoever. What then would your conduct now be, if, after this, you required more? It would be inconſiſtent, (with your pardon for the expreſſion) it would be abſurd.

Every thing is to be urged to re-commit the nation—I am the only man, it is ſaid, that has been bold enough, to meet Mr. Flood in argument either in or out of parliament; it is well they dated their paper the 18th of July, for I heard Mr. Grattan, in the Houſe of Commons, on the 19th, anſwer Mr. Flood—I ſaw almoſt every man, that I have been taught by you to look up to, as your friends, and as the friends of Ireland, with Grattan—I ſaw Mr. Flood and five others againſt the reſolution of that day—I believe Mr. Grattan will publiſh what he recollects of his ſpeech, and let it ſay for itſelf and its cauſe, what my abilities do not enable me to do.

The reſolutions of Connaught are mentioned, and it is ſaid they inform his majeſty, that a revival of the claims, either of external or internal legiſlature would for ever ſever the two countries—Who denies it? I ſpoke it lately to the firſt miniſters of England, and I have evidence, that I did, if you chooſe to call for it—Has not Ulſter done, in fact, the ſame thing when theſe words were introduced into our addreſs preſented to the Iriſh king, in the preſence of his Engliſh courtiers, ſurrounded by his Britiſh ſubjects, and their parliament then ſitting?

"The addreſs of the Iriſh parliament having diſclaimed any power, or authority of any ſort whatever, in the parliament of Great Britain over this realm, we ſhall conſider an unqualified, and unconditional repeal of the ſtatute 6th George I. by the Britiſh parliament, in purſuance of the ſaid addreſſes a complete renunciation of a principle, hoſtile to the rights of Ireland, and of all the claims contained in the ſaid ſtatute, and as ſuch we will accept it, and deem it ſatisfactory."

What has Connaught done that we have not done? I love and honor Connaught, and I truſt that we ſhall never deviate from their proceedings.

I now ſubmit to you two lines of conduct. By diſſenting from the unani-

mous vote of your Houſe of Lords, which ſays, that a repeal of the 6th George I. is a complete dereliction of all claim, to make laws, internally or externally, for this country; by diſſenting from your Houſe of Commons, where ſix members only were found to object to a reſolution, that England had completely renounced all right, internally or externally, for legiſlating for us; by diſſenting from the unanimous voice of Dungannon, from the voice of Leinſter, from the voice of Connaught, and probably from the voice of Munſter; you open all anew, you undo all that has been done, you riſk every hazard of a bloody civil war, and if you ſucceed, you get that, which is not, cannot, nor will be a real ſecurity. You render the name of Ireland, and particularly of Ulſter, contemptible. You make yourſelves inſignificant, for who, after this changeability, will confide in you? Who will rely upon the opinion of this day being the opinion of to-morrow? Remember, I call upon you to remember, that our honor and dignity as a nation, are at ſtake.

There is another line of conduct in your power, think well of it, and then decide.

By agreeing with your lords and commons, by agreeing with the unanimous voice of the delegates at Dungannon, by agreeing with Connaught, with Leinſter, and with the probable voice of Munſter, by being unanimous in the conſtruction of the conduct of England, and that ſhe has for ever relinquiſhed all rights, internally or externally, to make laws to bind this country; you bind yourſelves together, you bind England, as far as honor and faith can bind her (and you can bind her no farther), never to infringe upon your rights. By this conduct, Ireland, to a man, will unite at the firſt infringement, and by uniting ſtop it. Public propriety and conſiſtency will gain you every honor, and give you real and true ſtability. Whilſt we have force, we are ſafe, when we have not, we are at the mercy of thoſe who have; this being the caſe, I ſhall ſubmit to you the following reſolutions. Weigh them fairly with the other reſolutions, and ſee which eſtabliſhes the honor and rights, conſiſtency, faith and proſperity of your country.

Reſolved, That as our parliament has demanded all that the reſolutions of the 15th of February, 1782, at Dungannon, required, and in that demand expreſſed, "That there is no body of men competent to make laws to bind "this kingdom, except the king, lords and commons of Ireland, nor any "other parliament, which hath any authority, or power of any ſort what-"ſoever in this country, ſave only the parliament of Ireland." To aſſure

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his majeſty, that we humbly conceive, that, in this right the very eſſence of our liberties exiſts, a right, which we, on the part of the people of Ireland, do claim as their birth right, which we cannot yield but with our lives. And then required the repeal of the 6th George I. and have ſince declared that repeal to be a full and unequivocal renunciation on the part of Great Britain, to make laws to bind Ireland either externally or internally. We therefore conceive Great Britain ſo bound for ever to us and our poſterity, as that we ſhall conſider the ſlighteſt attempt on the part of England to make laws externally or internally, to bind Ireland, as the ſignal for irrevocable ſeparation, therefore we do not deem any meeting at Dungannon neceſſary at preſent.

Reſolved, That we will not ſuppoſe it poſſible, that Great Britain ſhould ever break through the faith and honor, which ſhe has now pledged to us; but as power is the only true and real ſecurity to a nation, we will continue in the exerciſe of arms, and recommend it to our lateſt poſterity, to imitate our example, remembering that freedom can only be preſerved by arms of free men.

I have only to add, that as to all inſinuations of the motives of my conduct, I deſpiſe them—I have uniformly acted with thoſe men, that I thought the beſt men in this kingdom, with thoſe men whom your opinions had ſanctioned—If I fall before popular indignation—I fall with almoſt every man in this kingdom, whoſe public conduct has met your approbation—and I fall with what is more to me than all—with the conſciouſneſs of having exerted every nerve and every power of mine, to lead you to glory, honor and proſperity, and when you had obtained that glory, honor and proſperity, I exerted myſelf, ſucceſsfully, as I thought, to prevent your doing that I deemed would lead you to deſtruction.

Whatever you may think of me,
I know that I am,
And ever have been,
Your faithful, your devoted,
And moſt grateful ſervant,
FRANCIS DOBBS.

No. LXVII. *a.*

Addreſſes and Reſolutions of different Corps of Volunteers. (*P.* 567.)

To the Right Hon. and Hon. the Minority in both Houſes of Parliament.

MY LORDS AND GENTLEMEN,

WE thank you for your noble and ſpirited, though hitherto ineffectual efforts in defence of the great conſtitutional and commercial rights of your country. Go on—the almoſt unanimous voice of the people is with you; and in a free country, the voice of the country, the people, muſt prevail. We know our duty to our ſovereign, and are loyal. We know our duty to ourſelves, and are reſolved to be free. We ſeek for our rights, and no more than our rights, and, in ſo juſt a purſuit, we ſhould doubt the being of a Providence, if we doubted of ſucceſs.

Theſe proceedings were generally approved of—the ſpirit of the Dungannon meeting was diffuſed throughout the kingdom, and its reſolutions were ſeconded by almoſt every volunteer corps in Ireland.

On the 17th of February, the corps of Independent Dublin Volunteers unanimouſly agreed to the following reſolutions and preamble:

Natural juſtice and equity having eſtabliſhed the univerſal rights of mankind upon an equal footing, the inhabitants of Ireland have a claim to a free trade with all nations in amity with Great Britain; yet their ports have been kept ſhut, their trade has been monopolized, and their induſtry has but ſerved to aggrandize the proud traders of a neighbouring kingdom.

Neceſſity, which compels to ingenuity, has lately led up that trade, dignified with the ſpacious name of *free:* yet trade, which enriches induſtrious nations, ſerves but to impoveriſh the natives of this kingdom, becauſe they have purchaſed at an high price, an illuſion; defrauded thus of their birth right, there is nothing but œconomy as a counterpoiſe. This unſubſtantial freedom of commerce, having originated from the united ſpirit of the people againſt the uſe of foreign manufactures, the ſame ſpirit which procured the fallacious grant, may yet, by a perſevering unanimity, eſtabliſh a real, permanent, and ſubſtantial trade.---Therefore reſolved, that theſe our thoughts and opinions be laid before our countrymen, reminding them at the ſame time, that not only they, but their poſterity are intereſted in the event; and that

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to do away effectually the yoke of monopoly, a non-conſumption and non-importation agreement ſhould be entered into without delay.

Reſolved, That for the more effectually furthering this great national point, the ſeveral corps (as private citizens) of this city be requeſted to ſend each a delegate to the Royal Exchange, on Monday the 25th inſt. at ſeven o'clock in the evening, and the foregoing reſolutions be publiſhed.

The following Reſolutions were paſſed a few Days afterwards at a full Meeting held by the Lawyers' Corps.

Reſolved, That we do highly approve of the reſolutions and addreſs of the Ulſter volunteers, repreſented at Dungannon on the 15th day of February inſtant.

That as citizens and volunteers, we will co-operate with the ſeveral corps, whoſe delegates met at Dungannon, in every conſtitutional mode of obtaining a redreſs of the grievances mentioned in their reſolutions.

The Addreſs publiſhed by the Committee of the Ulſter Volunteers.

To the Electors of Members of Parliament, in the Province of Ulſter.

GENTLEMEN,

DELEGATED by the volunteers aſſembled at Dungannon, we call on you to ſupport the conſtitutional and commercial rights of Ireland; to exert the important privileges of freemen at the enſuing election, and to proclaim to the world, that you at leaſt deſerve to be free.

Regard not the threats of landlords or their agents, when they require you to fail in your duty to God, to your country, to yourſelves, to your poſterity. The firſt privilege of a man is the right of judging for himſelf, and now is the time for you to exert that right. It is a time pregnant with circumſtances, which revolving ages may not again ſo favorably combine. The ſpirit of liberty is gone abroad, it is embraced by the people at large, and every day brings with it an acceſſion of ſtrength. The timid have laid aſide their fears, the virtuous ſons of Ireland ſtand ſecure in their numbers. Undue influence is now as deſpiſed as it has ever been contemptible: and

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he who would dare to puniſh an elector for exerting the rights of a freeman, would meet what he would merit, public deteſtation and abhorrence.

Let no individual neglect his duty. The nation is the aggregate of individuals, and the ſtrength of the whole is compoſed of exertion of each part; the man, therefore, who omits what is in his power, becauſe he has not more in his power, and will not exert his utmoſt efforts for the emancipation of his country, becauſe they can, at beſt, be the efforts of but one man, ſtands accountable to his God and to his country, to himſelf and to his poſterity, for confirming and entailing ſlavery on the land which gave him birth.

An upright Houſe of Commons is all that is wanting, and it is in the power of the electors to obtain it. Vote only for men whoſe paſt conduct in parliament you and the nation approve, and for ſuch others as will ſolemnly pledge themſelves to ſupport the meaſures, which you and the nation approve. Do your duty to your country, and let no conſideration tempt you to ſacrifice the public to a private tie, the greater duty to a leſs.

We entreat you, in the name of the great and reſpectable body we repreſent; we implore you, by every ſocial and honorable tie; we conjure you as citizens, as freemen, as Iriſhmen, to raiſe this long inſulted kingdom, and reſtore to her her loſt rights. One great and united effort will place us among the firſt nations of the earth, and thoſe who ſhall have the glory of contributing to that event, will be for ever recorded as the ſaviours of their country.

It would be impoſſible and unneceſſary, to ſtate here the numerous reſolutions agreed to by the ſeveral volunteer corps and other aſſemblies, where theſe ſubjects were taken into conſideration: they were ſubſtantially the ſame, and differed but in words. We ſhall therefore only add the proceedings of a few other bodies, that were not under the military character, to ſhew that the ſame diſpoſition and ſentiments pervaded all ranks of people.

At a Meeting of the Freemen and Freeholders of the City of Dublin, convened by the High Sheriffs, at the Tholſel, on Tueſday the 19th of March, 1782, the following Addreſs was unanimouſly agreed to.

To Sir Samuel Bradſtreet, Bart. and Travers Hartley, Eſq. Repreſentatives in Parliament for the City of Dublin.

GENTLEMEN,

AS men juſtly entitled to, and firmly reſolved to obtain a free conſtitution, we require you, our truſtees, to exert yourſelves in the moſt

moſt ſtrenuous manner, to procure an unequivocal declaration, "That the "king, lords, and commons of Ireland are the only power competent to "make laws to bind this country." And we ſolemnly pledge ourſelves to you and to our country, that we will ſupport the repreſentatives of the people at the riſk of our lives and fortunes, in every conſtitutional meaſure, which may be purſued for the attainment of this great national object.

Be aſſured, gentlemen, that your zeal upon this occaſion will inſure you a continuance of our eſteem and regard.

(Signed) James Campbell, David Dick } Sheriffs

The Sheriffs, having waited on the Repreſentatives, received the following Anſwer.

To the Sheriffs, Freemen, and Freeholders of the City of Dublin.

GENTLEMEN,

IT has ever been my wiſh to receive with pleaſure, and to obey the inſtructions of my conſtituents.

You may depend on my uſing every means in my power to procure an explicit and unequivocal declaration, "That the king, lords, and commons "of Ireland are the only power competent to make laws to bind this "country;" and I rely on your ſolemn engagement to ſupport your repreſentatives in every conſtitutional meaſure, which may be neceſſary for the attainment of this great national object. Permit me to aſſure you, that my zeal for the accompliſhment of your wiſhes can be equalled only by my deſire to convince you how ſacred I eſteem the truſt you have repoſed in me, and how much I value a continuance of the good opinion of my fellow citizens.

I have the honor to be, with the greateſt reſpect,

Your obliged and faithful ſervant,

SAMUEL BRADSTREET.

To the Sheriffs, Freemen, and Freeholders of the city of Dublin.

GENTLEMEN,

I SHOULD be very unworthy of that honorable and important truſt, with which you have ſo recently inveſted me, did I not receive

receive with the higheſt reſpect, the moſt perfect ſatisfaction, and chearful conformity, your inſtructions, on a ſubject in which the national honor and ſecurity are eſſentially engaged. To ſuppoſe that any power, except that of the "king, lords, and commons of Ireland, is competent to make laws to "bind this kingdom," is utterly inconſiſtent with the idea of freedom; it is equal liberty alone, which can ſecure that perfect harmony to the ſubjects of the ſame crown, ſo neceſſary to the proſperity both of Great Britain and Ireland.

You may rely, gentlemen, on every exertion I am capable of, to procure an unequivocal declaration of the ſole rights of the legiſlature of this kingdom, to enact laws obligatory on the people of Ireland; and I doubt not in this, and every conſtitutional meaſure, I ſhall be always ſecure of the ſupport of my conſtituents. Your inſtructions on this occaſion will give a dignity to the vote you have intruſted me with, which it muſt have wanted, if conſidered as merely proceeding from my own private judgment.

I have the honor, gentlemen, to be,

With the moſt perfect reſpect, and ſenſe of obligation,

Your faithful and obedient ſervant,

TRAVERS HARTLEY.

At a Meeting of the High Sheriff and Grand Jury of the County of Dublin, on the 11th of April, 1782, the following Reſolutions were agreed to.

Reſolved, That no power on earth, but the king, lords, and commons of Ireland can in right make laws to bind the people of this land.

Reſolved, That the members of the Houſe of Commons are repreſentatives of, and derive their power ſolely from, the people; and that a denial of this propoſition by them would be to abdicate the repreſentation.

The following Addreſs was then read by the Chairman, and agreed to.

To the Right Hon. Luke Gardiner, and Sir Edward Newenham, Knight.

GENTLEMEN,

WE, the high ſheriff and grand jury of the county of Dublin, warmly coinciding with the determination reſpecting the conſtitutional

tional rights of Ireland, with which the mind of every man in this nation is deeply impreſſed, think it our duty to expreſs thoſe feelings in the ſtrongeſt terms.

As you have already evinced your intention to ſupport the ſole and undoubted authority of the legiſlature of Ireland, to make laws for its government, we confidently hope and expect, that you will perſevere in purſuing the moſt deciſive and immediate meaſures, that may effectually carry that great object into execution, by a ſolemn ratification of our rights.

Though this is, at the preſent criſis, the principal matter under the conſideration of parliament, we have no doubt but that you muſt conſider it your duty to act in all things that affect the freedom of our conſtitution, in ſuch manner as may become the repreſentatives of a great and independent county.

Reſolved, That copies of the above reſolutions and addreſs, ſigned by the high ſheriff and foreman, be preſented to the Right Honorable Luke Gardiner and Sir Edward Newenham, knight, and that the ſame, together with their anſwers be publiſhed.

The following Anſwers were returned.

To the High Sheriff and Grand Jury of the County of Dublin.

GENTLEMEN,

IT gives me very ſincere ſatisfaction, that my paſt conduct, relative to the ſole and undoubted authority of the legiſlature of Ireland, has merited your approbation. You may be aſſured, that I ſhall perſevere in giving my warmeſt ſupport to the great and important object, as I conſider it ſo deciſively founded in right, that no man who loves to be free, can heſitate to acknowledge and to aſſert it.

With reſpect to any other matter that may affect the freedom of our conſtitution, I am ſo conſcious of my intentions to promote the perfect contentment of this country, that I have no doubt I ſhall, in every particular deſerve that confidence, with which you have hitherto honored me.

I am very glad that you have given me an opportunity of declaring my ſentiments thus publicly at this criſis; as I think that the time is now come, which demands an explicit and a permanent ſettlement of the conſtitution of Ireland, as the certain means of eſtabliſhing the tranquillity of this country,

and of perpetuating the harmony, which ought to ſubſiſt between us and Great Britain.

I have the honor to be, Gentlemen,

Henrietta Street, With the greateſt reſpect,

April 13, 1782. Your very obliged humble ſervant,

LUKE GARDINER.

To the High Sheriff, Foreman, and Grand Jury of the County of Dublin.

GENTLEMEN,

I ALWAYS received your inſtructions with reſpect and pleaſure, for it is equally my duty and inclination to obey them; if I did not, I ſhould betray that delegated truſt, with which you have honored me.

In reſpect to thoſe great objects in which you deſire "I will perſevere," I aſſure you, I will moſt faithfully purſue that line of conduct marked out by you, confident that his majeſty cannot, in juſtice to this independent kingdom, refuſe his royal aſſent to ſuch acts, as may be deemed by the *Iriſh* parliament "a ſolemn ratification of our rights." I flatter myſelf that no *Iriſh* miniſter will be found to be ſo preſumptuous, as to impede the total annihilation of foreign uſurpation; if ſuch a miniſter ſhould be found, the parliament of Ireland, ſupported by the general voice of the people, ought to do their duty. Though effectual impeachments have been too long neglected, and thereby our ſiſter kingdom has nearly fallen a martyr to the corruption and wickedneſs of its miniſtry, the ſpirit of this nation is too high, to ſubmit patiently to national inſults.

You are alſo pleaſed to direct me "to act in all things, that affect the freedom of our conſtitution, as may become the repreſentative of a great and "independent county:" in order to accompliſh that object, I have frequently introduced heads of a bill to ſecure the freedom of parliament, by limiting the number of placemen, and totally excluding penſioners from ſitting therein; a hoſtile band of parliamentary placemen and penſioners is the foundation of internal and external corruption.

Every meaſure tending to maintain the freedom, or promote the trade and manufactures of your great, reſpectable, and independent county, ſhall meet my warmeſt ſupport in every ſtation of life.

I have the honor to be, with the greateſt reſpect,

Your moſt obliged and faithful truſtee,

EDWARD NEWENHAM.

At

At a full Meeting of the Grand Jury, Gentlemen, Clergy, and Freeholders of the County of Galway, aſſembled purſuant to public Notice from the High Sheriff, at the County-Hall, in Galway, March 31, 1782, *the following Reſolutions were unanimouſly entered into:*

RESOLVED, That a ſeat in parliament was never intended by our conſtitution as an inſtrument of emolument to individuals; and that the repreſentative, who perverts it to ſuch a purpoſe, particularly at ſo momentous a period as the preſent, is guilty of betraying the truſt repoſed in him by the people for their, not his benefit.

Reſolved, That the people who could tamely behold their ſuffrages made the tool of private avarice or ambition, are ſtill more criminal than the venal repreſentatives, as they become the panders without even the wages of proſtitution.

Reſolved, That when we daily ſee the mandate of the miniſter ſuperſede all conviction in debate; when placed and penſioned members of parliament notoriouſly ſupport in public meaſures, which they condemn in private; when the hirelings of corruption avow, and government have exemplified in recent inſtances of diſtinguiſhed characters, that to vote according to conſcience amounts to a diſqualification to hold any office in the ſervice of our country, it is time for the people to look to themſelves, and in great national queſtions to aſſert their right to control thoſe, who owe their political exiſtence to their breath, and may be annihilated by their diſpleaſure.

Reſolved, That at an æra when every thing which can be dear to a nation is at ſtake, we are called upon by our duty to ourſelves, to our country, and to poſterity, to ſtand forth, and by the moſt unremitting exertions ſtem the returning torrent of corruption at home, and reſiſt the uſurpation from abroad, that all mankind may ſee we are determined to preſerve the purity, while we vindicate the rights of our legiſlature.

Reſolved, therefore, That we do hereby ſolemnly pledge ourſelves to each other, and to our country, by every tie of honor and religion, which can be binding to man, that, as the ſacred duty which we owe to the community ſuperſedes all ties and obligations to individuals, we will not ſuffer private friendſhip or private virtues, to warp our ſettled determination not to vote for any man, at a future election, either for county, town, or borough, who

ſhall act in oppoſition to our inſtructions, and who will not ſubſcribe a teſt to obey them previous to the election, or who ſhall abſent himſelf when thoſe queſtions, on which we inſtruct him, are agitated in parliament.

Reſolved, That the king, lords, and commons of Ireland are the only power competent to make laws to bind this kingdom, and that we will reſiſt the execution of any other laws, with our lives and fortunes.

Reſolved, That if force conſtitutes right, the people of this country have a right to uſe force againſt the man, who dares to maintain doctrines ſubverſive of their conſtitution; but as the object is beneath the dignity of the national reſentment, we ſhall only bid ſuch a man beware how he hereafter trifles with the rights of his country, and provokes the vengeance of a people determined to be free.

Reſolved, That we highly approve of the reſolutions of the volunteer delegates, aſſembled at Dungannon and Ballinaſloe.

Reſolved, That the thanks of this county be returned to the minority in parliament, and particularly to our countrymen Anthony Daly, Sir Henry Lynch Bloſſe, and Robert Dillon, Eſqrs.

Reſolved, That the following addreſs be preſented to the Right Honorable Denis Daly, and W. P. Keating French, Eſqrs. repreſentatives in parliament for this county.

To DENIS DALY, Eſq.

SIR,

THERE is a moment in the affairs of nations as well as of individuals, which if ſeized and happily improved, may lead to proſperity, if neglected, may terminate in the riveting of its oppreſſions. Such a moment is the preſent: the eyes of Europe are upon us, and poſterity will read our conduct with applauſe or execration according to the uſe we make of the opportunities, which a providential combination of events has afforded us. When the rights of a nation become objects of public queſtion or diſcuſſion, not to aſſert is to relinquiſh, to heſitate is to betray. The die is caſt; if we advance with a manly and determined ſtep, we enſure ſucceſs; if we recede or divide, we ſink for ever; in ſo awful an hour, who is the man that, however unwilling to provoke the queſtion, will not at the day of trial be found in his poſt? Your private opinion, Sir, muſt give way to the national voice; the aſſemblage of qualities which formed and elevated your character, raiſed you to one of the moſt exalted ſituations a ſubject could arrive at. Your abilities

abilities remain, we have relied on your integrity; yet we cannot but lament, that at the moment we ſtood in need of all the influence of ſuch a character, its brightneſs ſhould have been ſhaded, and its weight loſt to the nation, by being placed in a ſtation in which, however chaſte, it may at leaſt be ſuſpected. But waving at preſent the conſideration of this ſubject, we now call upon you, as one of our repreſentatives, as you value our future approbation and ſupport, to give your fulleſt aſſiſtance to the following meaſures, whenever they ſhall be propoſed in parliament, viz. a declaration of our national rights; an ademption of the aſſumed power of the privy council to ſtop or alter bills; a mutiny bill limited in its duration; a bill rendering the judges independent of the crown; and a bill to reduce the expences of the nation to a level with its revenues, as we cannot conceive a conduct more inſane, than for a people ſcarce emerging from ruin, like a profligate heir, to anticipate its funds, and ground certain extravagance on uncertain proſperity.

To W. P. KEATING FRENCH, Eſq.

SIR,

THE preſent period calls upon every man in this country to take an active and decided part in the common cauſe. The nation is not now to be trifled with. Upon our conduct at this eventful hour depends the eſtabliſhment of our conſtitution, and the liberties of unborn generations. We ſhall not, Sir, ſuffer our attention to be drawn from the great objects in which we are engaged, by a retroſpect into your paſt parliamentary conduct, however diſſonant in many points from our opinions; but we call upon you, if you value our future approbation, to give your fulleſt ſupport to the following meaſures, whenever they ſhall be agitated in parliament, viz. a declaration of our national rights; an ademption of the power of the privy council to ſtop or alter bills; a mutiny bill limited in its duration; a bill to render the judges independent of the crown; and a bill to reduce the national expences to a level with its revenues.

At a Meeting of the Electors of the Univerſity, on the 3d of April, the following Addreſs was unanimouſly agreed to, and ordered to be preſented to their Repreſentatives.

To the Right Honorable Walter Burgh and John Fitzgibbon, Eſq. Repreſentatives in Parliament for the Univerſity of Dublin.

GENTLEMEN,

WHEN the murmurs of a people, ſtruggling for their rights, have been heard even in the quiet retreat of ſcience, we ſhould deem it a breach of duty to our countrymen and ourſelves, did we neglect to ſecond their virtuous exertions: we are never forward in political conteſts; we ſhall always be decided and ſteady; although we have not been the firſt to complain of, yet, we have not been the laſt to feel, the repeated injuries this country has ſuffered, not only from thoſe who may have ſeparate duties and ſeparate intereſts, but from men who are bound by the ſtrongeſt duty, and the deareſt intereſt, to vindicate its rights, and cheriſh its proſperity.

The power of binding Ireland by acts of a foreign legiſlature, is what nothing but a ſpirit of arrogance or oppreſſion would inſiſt upon, nothing but the moſt abject ſervility ſubmit to; for we cannot ſuppoſe, that the appearance of a claim, which irritates the whole body of the people, would be retained, unleſs there was an intention of enforcing this claim hereafter; we are therefore convinced, that an expreſs declaration of rights, is the only meaſure upon which this country can build its legiſlative independence, and that a reluctance to aſſert the conſtitution of the land, may furniſh Great Britain with a pretence for denying the juſtice of our requiſition.

We do not think the preſent ſituation of Great Britain to be any objection againſt ſuch a declaration, as we can never ſuppoſe that ſhe could derive ſtrength from our weakneſs, or any ſecurity to her liberties from the oppreſſion of ours; and that time is undoubtedly to be preferred for the aſſertion of our right, when the object is likely to be obtained with the leaſt ſtruggle.

The inſecure attachment of Ireland to the crown of England at a former period, furniſhed a pretext for diveſting the houſes of parliament of their right to originate bills, unleſs previouſly certified into England under the great ſeal of this kingdom; now, as the loyalty of this country for ſeveral centuries, ſo often tried, and ſo often acknowledged, has removed every

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cauſe of diſtruſt; we conceive that this injurious and humiliating reſtriction ſhould alſo ceaſe.

The dependence of the judges of Ireland on the will of the ſovereign, may, in the hands of an aſpiring monarch, prove a powerful inſtrument of oppreſſion; now, holding ourſelves entitled to every conſtitutional ſecurity which our ſiſter kingdom poſſeſſes, we conſider it neceſſary that the judges of this kingdom ſhould be made equally independent with thoſe of Great Britain.

But ſince every advantage, which could reſult from theſe reformations muſt be precarious, as long as a perpetual mutiny bill exiſts, by which force may be made to ſuperſede right, and the ſoldiery of Ireland are ſubject to trial and puniſhment by any future articles of war, which the king and privy council of Great Britain may think proper to adopt; we are perſuaded, that every conceſſion muſt be imperfect, unleſs accompanied by the repeal of ſo dangerous a law.

We therefore expect you will exert your moſt ſtrenuous efforts, to obtain a declaration of the rights of Ireland: a repeal or ſatisfactory explanation of the law of Poynings; an act for making the tenure of the judges independent of the crown; and a repeal of the perpetual mutiny bill.

We declare, that theſe are our fixed and unalterable ſentiments, and we are convinced, that nothing ſhort of the requiſitions herein contained, can be, in any degree, ſatisfactory to the people of Ireland.

It is our wiſh to render the connexion between this country and Great Britain, as cloſe and permanent as poſſible, and we are perſuaded, that this is only to be accompliſhed by aboliſhing all uſurped authority of the one over the other, and removing every invidious diſtinction between the conſtitutions of two countries equally intitled to be free.

To this Addreſs the following Anſwers were returned.

To the Electors of the Univerſity.

GENTLEMEN,

WHEN I reflect on my paſt parliamentary conduct, it affords me the higheſt ſatisfaction, to find that it entirely correſponds with the tenor of your inſtructions. Whenever the objects that you recommend have come into diſcuſſion, I have given them my uniform and decided ſupport. My conduct has been founded upon principles, which no motives of intereſt

intereſt or ambition have been able to ſhake, and in which I ſhall perſevere unto the laſt hour of my life.

I have the honor to be, with the greateſt reſpect,
Gentlemen,
Your moſt faithful humble ſervant,
WALTER BURGH.

To the Electors of Trinity College.

GENTLEMEN,

I AM juſt now honored with your inſtructions, which have been forwarded to me by poſt. Be aſſured, that I ſhall always feel the utmoſt ſatisfaction in receiving the inſtructions of that very great and reſpectable body, which I have the honor to repreſent, and that you ſhall ever find me ready, to the beſt of my ability, to vindicate your rights.

I have always been of opinion, that the claim of the Britiſh parliament to make laws for this country, is a daring uſurpation on the rights of a free people, and have uniformly aſſerted this opinion both in public and in private. When a declaration of the legiſlative right was moved in the Houſe of Commons, I did oppoſe it, upon a decided conviction, that it was a meaſure of a dangerous tendency, and withal inadequate to the purpoſe for which it was intended. However, I do, without heſitation, yield my own opinion upon this ſubject to yours, and will, whenever ſuch a declaration ſhall be moved, give it my ſupport.

With reſpect to an explanation of the law of Poynings, I confeſs, the more I conſider the ſubject, the more difficult it appears to me. Allow me to remind you, that the Univerſity did, upon a very recent occaſion, experience that this law, in its preſent form, may operate beneficially. A total repeal of it, will I hope, on conſideration, appear to you to be not, by any means, a deſirable object. You may reſt aſſured, that the beſt attention which I can give to the ſubject ſhall be exerted; and I truſt and doubt not, that upon a communication with you upon this topic, I ſhall be able to give you full ſatisfaction.

I agree with you moſt warmly, that any advantage, which we may derive from reformation muſt be precarious, ſo long as the articles of war ſhall continue to be a permanent and eſtabliſhed branch of municipal law, which they certainly are under the preſent act for regulating the king's army in Ireland.

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I have not a doubt, in my mind, that a perpetual mutiny law lays the foundation of a military government in this country; upon this principle I did oppoſe it as ſtrenuouſly as I could, from the firſt moment it was introduced into the Houſe of Commons, and upon this principle I will, whilſt I live, make every effort within my power to procure a repeal of it. The adminiſtration of juſtice in this country is certainly an object of the firſt importance, and therefore I will, at all times, concur in any meaſure, which can be propoſed to make the judges of the land independent and reſpectable.

I have the honor to be,
Gentlemen,
With great reſpect,
Your moſt obedient, and
very humble ſervant,
JOHN FITZGIBBON.

Mount Shannon,
April 11th, 1782.

No. LXVIII. *a.*

From the Debates in the Britiſh Houſe of Commons. (*Page* 587.)

THE Right Honorable T. Townſhend ſpoke fully upon the privileges of the Houſe of Commons. He maintained, that the only true ſubſtantial meaning or idea thoſe privileges conveyed was that they were the indubitable right of all the commons of England, who had one general intereſt in them. That to be ſure in a more confined ſenſe, they were particularly applied firſt to that houſe, as a deliberative body, and one of the branches of the legiſlatur. Secondly to the individual members who compoſe that body. He did not intend to make them, however, the ſubject of this day's buſineſs; they were but of ſecondary, nay indeed of very inferior conſequence, when oppoſed to that great privilege, the power of granting money, of keeping the purſe of their conſtituents ſafe from the hands of violence, art or fraud. This was a truſt of the firſt magnitude; in fact, it included every other; for ſo long as that was preſerved inviolate, the crown would remain under the conſtitutional controul of parliament; ſo ſoon as that was wreſted by open force, defeated by indirect means, or done away by fraud, the liberties and the privileges of the people would be for ever annihilated. He expatiated on the commend-

able, wiſe, and well-founded jealouſy of that houſe whenever the leaſt attempt had been made in that way even by the other houſe; but when any endeavours were made by the crown, or its miniſterial agents, the commons at all times caught the alarm; they had at all times uniformly united, as if they were actuated by one ſoul, to reſiſt any attempt of the crown to encroach upon their power of granting or refuſing the money to be raiſed on themſelves or their conſtituents. He then opened the cauſe which induced him to make theſe obſervations, and read the following papers.

"" *Meſſage to the Iriſh Houſe of Commons,*

Jovis, Nov. 23d, 1774.

HARCOURT.

I have his majeſty's command to acquaint you, that the ſituation of affairs, in part of his American dominions, is ſuch, as makes it neceſſary, for the honor and ſafety of the Britiſh empire, and for the ſupport of his majeſty's juſt rights, to deſire the concurrence of his faithful parliament of Ireland, in ſending out of this kingdom a force not exceeding four thouſand men, part of the number of troops upon this eſtabliſhment, appointed to remain in this kingdom, for its defence, and to declare to you, his majeſty's moſt gracious intentions, that ſuch part of his army as ſhall be ſpared out of this kingdom, to anſwer the preſent exigency of affairs, is not to continue a charge upon this eſtabliſhment ſo long as they ſhall remain out of the kingdom. I am further commanded to inform you, that as his majeſty has nothing more at heart than the ſecurity and protection of his people of Ireland, it is his intention, if it be the deſire of the parliament, to replace ſuch forces, as may be ſent out of this kingdom, by an equal number of foreign Proteſtant troops, as ſoon as his majeſty ſhall be enabled ſo to do. The charge of ſuch troops to be defrayed without any expence to this kingdom.

Extract from the Addreſs of Knights, &c. to Lord Harcourt.

That your excellency will be pleaſed to return his majeſty our moſt gracious thanks for his gracious declaration, that his majeſty has nothing more at heart than the ſecurity and protection of his people of Ireland, of which his majeſty has given a ſignal proof, by his offer, if it ſhall be the deſire of parliament, to replace ſuch forces as may be ſent out of this kingdom, by an equal number of Foreign Proteſtant troops, the charge thereof to be defrayed, without any expence to this kingdom.

Extract

Extract from the Votes of the Houſe of Commons of Ireland.

AN amendment was propoſed to be made to the reſolution, by inſerting after the word reſolved, the following words, viz. " that having, in conſequence of " his majeſty's gracious recommendations, and of our mature conſideration " of the ſtate of this country, repeatedly declared our opinion, that twelve " thouſand men are neceſſary for the defence of this kingdom; being ſenſible " that it would be a violation of the truſt repoſed in us, ſhould we have ſub- " jected our conſtituents to a very heavy expence, in times of perfect tran- " quillity, for the purpoſe of providing a force, which we are to part with in " times of danger; and being convinced, that ſince the time at which we firſt " declared twelve thouſand men to be neceſſary, the probability of a war has " increaſed, and not diminiſhed."

Right Honorable Mr. Speaker's Speech to his Excellency Simon Earl of Harcourt.

Lunæ 25 die Decembris, 1775.

MAY IT PLEASE YOUR EXCELLENCY,

THE conduct of the commons, in the courſe of this ſeſſion, has marked more ſtrongly, if poſſible, than in any former period, their loyalty, duty, and affection to his majeſty, and their zeal for the intereſt and honor of Great Britain. At the hazard of their own ſafety they have conſented to part with one-third of the forces deemed neceſſary to be maintained at all times within this kingdom for its defence in a ſeaſon when powerful reaſons exiſted for retaining them, without putting Great Britain to the expence of replacing them, though generouſly offered; and they have cheerfully granted to his majeſty a very conſiderable ſupply, in addition to all former duties, though the liberality of the laſt ſeſſion ſerved only to expoſe the weakneſs of their reſources. This diſpoſition of the commons they doubt not your excellency will improve to their advantage, and they truſt that through your excellency's favorable repreſentation, it will ſerve to unite Great Britain and Ireland in ſtill cloſer bonds of mutual affection, ſo neceſſary to the ſecurity and proſperity of both. They acknowledge with gratitude your excellency's generous efforts to open to them new ſources of commerce, and to remove ſome reſtraints upon the old; they ſee with joy a beam of light break through that dark cloud which has ſo long overſhadowed this nation; and they are animated with the

hope that the honor is reſerved for your excellency's adminiſtration, of eſtabliſhing this important truth, that nothing will more contribute to augment the ſtrength and wealth of Great Britain, than the increaſe of both in this kingdom.'"

Having read theſe papers, Mr. Townſhend ſaid, the meſſage contained two propoſitions, by both which the parliament of Great Britain was pledged to that of Ireland, if it ſhould accept the conditions held forth by this meſſage, to pay for the troops to be ſent to America, and to replace them with 4000 foreign Proteſtants; and further to induce the Iriſh nation to accept this inſidious bargain, ſhe was to have 12,000 within the kingdom, and at the ſame time to be relieved of a burthen of 80,000*l.* per annum. Such a propoſition could only have originated in the worſt deſigns, or muſt have been the effect of the moſt conſummate folly. For what was the whole meaſure taken together? The miniſter on this or the other ſide of the water, no matter which, makes the king engage his royal word, that the expence ſhall be borne by the parliament of Great Britain; but adding folly to temerity, makes him promiſe, that Great Britain ſhall pay for 8,000 men, though if the bargain was accepted, ſhe would actually have but 4000 men in her ſervice. After thus ſtating, in his opinion, the meaning of the words, he proceeded to ſhew, that they were received in this ſenſe by the Iriſh parliament, though neither of the offers were received in the terms propoſed, and quoted the ſpeaker's ſpeech, delivered at the bar of the Houſe of Lords, on the 25th of December, 1775, in which he offers, in the name of the commons, to ſend the 4000 natives out of the kingdom, without putting Great Britain to the expence of replacing them, though generouſly offered. He then ſtated the complaint in the following words: "that the Earl of Harcourt, lord lieutenant general, and general go-"vernor of Ireland, did, on the 23d day of November laſt, in breach of the "privilege, and in derogation of the honor and authority of this houſe, ſend "a written meſſage to the Houſe of Commons of the parliament of Ireland, "ſigned with his own hand, to the following effect." (Here he recited the meſſage in page 346.) He moved, that a committee be appointed to enquire into the matter of the ſaid complaint, and to report the ſame, as it ſhall appear to them, to the houſe.

Sir George Yonge ſeconded the motion.

Lord Clare ſaid, the right honorable gentleman who made the motion, had been laviſh of his encomiums on Ireland, but did not offer a ſyllable in behalf

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of poor Britain. Ireland retained a proper ſenſe of freedom; ſhe would not admit foreigners, even with the conſent of parliament; her principles were ſound, her manners were pure: her counſels were uncontaminated; while poor degenerated Britain was fallen from her former greatneſs, and was ſunk into the loweſt extreme of corruption, folly, and want of ſpirit; yet while he was proud to hear his country ſo highly extolled, he could not help lamenting that fallen Britain had not one friend to ſtand forth in her defence. His lordſhip having continued upon the two propoſitions. The offer of ſending foreigners and of defraying the expence ſignified nothing: no ſuch offer or promiſe was intended; it was all the idle reveries of a gentleman, whom, for the familiarity of expreſſion, he would call by the name of Mr. Edmund Sexton Perry. He knew Mr. Edmund Sexton Perry very well, and he knew him to be a good ſort of a conſiderate, honeſt, ſenſible man, but however ſenſible Mr. Perry might be, the houſe was not bound by his interpretations. The honorable mover ſays, that Mr. Perry went to the bar of the Houſe of Lords, and delivered a certain ſpeech, and that the lord lieutenant acquieſced in that interpretation of the meſſage, becauſe he did not contradict it. Would he have Lord Harcourt riſe and come to Mr. Perry to the bar, and contradict him, by telling him he never meant any ſuch thing? I dare ſay he would hardly be ſo unreaſonable. I have indeed heard it aſſerted by ſome of my countrymen, that they ſpoke better Engliſh than the people of his country. It may be ſo, but it is the firſt time I ever heard it aſſerted, that they underſtood it better. I preſume that Mr. Perry thought he underſtood the meſſage; but I will not allow that either Lord Harcourt, or this houſe, are bound to abide by his interpretation; neither can I be perſuaded that the Houſe of Commons of Ireland are any more bound than we are by his conceptions. For what does the whole amount to? Mr. Perry, in his individual capacity, ſays ſo and ſo. What is that to the Houſe of Commons? He is ſpeaker it is true, but what he does out of the houſe, when he is not inſtructed, is no more the act of that houſe, than if it had been done by any other perſon.

Mr. Conolly replied to his lordſhip, that he was an Iriſhman as well as the noble lord, and as Ireland was to be the ſubject of that day, in the cocking phraſe, he was ready to pit himſelf againſt him. He then obſerved, that he was not ſurprized that the noble lord was in ſuch extreme good humour with miniſters on both ſides of the water, as his lordſhip, and the three others, who enjoyed ſinecure employments, had a preſent made them in one day of 14,000*l.*

(meaning

(meaning the arrangement of the vice-treaſurers and the clerk of the pells) and left a poſſibility ſhould ariſe of any defalcation of their ſalaries, parliament was ſo good-humoured, while they increaſed the ſalary, to take upon themſelves to provide payment out of the public purſe for deputies, who were to do the duty. It was therefore no wonder that his lordſhip and his colleagues ſhould be merry, while Ireland continued to be ſad; to ſee the ſalaries of ſinecure places raiſed, while ſhe was mortgaging her funds, laying on new duties, and providing for deficiencies of grants. He gave a picture of Ireland: an exhauſted treaſury, ruined trade, ſtarving manufacturers, accumulating penſions, new created places, ſtate oppreſſions, daily executions, a ruined, mouldering army, encreaſing debts, caſtle jobs, bands of lawleſs ruffians in defiance of law, and beyond the power of puniſhment; in ſhort, every public evil and private miſchief, that ever was on earth to curſe and debaſe mankind. He did not riſe to the queſtion ſimply ſtated, whether the meſſage were really a breach of the privilege of the Commons of England, but principally, he ſaid, to give an account of what paſſed in the Iriſh Houſe of Commons, when Sir John Blaquiere brought the meſſage from the lord lieutenant. That houſe refuſed the offer, he ſaid, upon two principles, firſt, becauſe they thought the introduction of foreign troops an unconſtitutional and dangerous meaſure; and ſecondly, becauſe it was thought that the miniſtry had no mind that they ſhould have them, for Sir John himſelf voted againſt them. He ſaid, Ireland was quite defenceleſs, that the 12,000 nominal men were only 10,800, out of which 4000 were to be ſent away; that the White Boys were governors of all the South of Ireland, where four-fifths of the people were Catholics; that no private gentleman could be ſure of his life, ſitting there in his own houſe, for one half-hour, that more troops were really wanting, inſtead of taking thoſe away they had already; that men had their ears ſawn off, and others were buried alive, to the diſgrace of government, that could not or would not protect the people; that the peaſantry were in ſuch a ſtate of poverty, that no revolution or change of ſituation could poſſibly be to them for the worſe.

Right honorable Welbore Ellis ſaid the meaning of the meſſage had been miſtaken, that taking the expreſſion in any light, no breach of privilege could be deduced from it. He recalled to the remembrance of the houſe, that in 1769, when the Iriſh eſtabliſhment was raiſed from 12,000 to 15,000 men, his majeſty paſſed his royal perſonal promiſe to the Iriſh parliament, that there ſhould never be leſs than 12,000 men in Ireland, except in caſes of actual invaſion or rebellion

rebellion in Great Britain. Now, the Earl of Harcourt's meſſage, he contended, had reference to this promiſe; as the preſent want of troops was not within thoſe exceptions, it certainly was his majeſty's firſt buſineſs to be abſolved from that promiſe, by the parties to whom it was made: but if he had applied firſt to the Commons of Great Britain, it muſt have been for the approbation of a meaſure in direct breach of his promiſe to Ireland. He compared it to the king's propoſing military eſtabliſhments to the houſe; the king does the whole by his prerogative, and leaves nothing to the Houſe of Commons but to vote the money. Is not this engaging for the conſent of parliament? Yet all the world knows that the houſe may object to them, and conſequently they cannot be effected without their conſent.

Mr. Gordon thought the firſt part of the meſſage was agreeable to the ſenſe now put upon it by the honorable gentleman who ſpoke laſt: but the other part ſeemed a little obſcure at firſt ſight; yet it might be concluded, that as a meaſure of government, it could never be in the idea of the miniſter to make ſuch an attempt, in expreſs contradiction to the diſbanding act of King William. It was in his opinion, a fair inference to ſay, that the expreſſion "enabled ſo to do" meant the previous conſent of the Britiſh parliament. If he thought adminiſtration had any other intention in view, no man would be more ready to join a vote of diſapprobation and cenſure. He condemned the conduct of miniſters, reſpecting the indemnity bill, and diſapproved of introducing foreigners into the dominions of Great Britain, without the conſent of parliament.

Mr. Powys had little doubt, that the meſſage under conſideration meant more than it expreſſed, and was intended as an experiment to try if the Iriſh parliament would conſent to receive foreign troops, in order to eſtabliſh a precedent which might be afterwards employed to other purpoſes.

Lord Middleton ſaid, he had fortune in both kingdoms, but had no predilection for either in a political light, becauſe he looked upon their intereſt to be mutual; but whatever other gentlemen might think of the meſſage, of the true import of which it was impoſſible there could be a ſecond opinion, he had not a doubt but it aimed at one fixed object, that was, to habituate both countries to a ſubmiſſion, which muſt in the end reduce the parliament of each to be the mere inſtrumental agents of the crown, without the leaſt degree of will or independence whatever. It was a ſcheme, however deep, formed nevertheleſs on very ſimple principles, and went directly to veſt in the crown the virtual

virtual power of taxing, as the opportunity might ſerve, both in Great Britain and Ireland. In Ireland the miniſter was taught to aſk ſome favor; then England was to be pledged. In England again, when circumſtances recurred, or were impracticable, Ireland was to be taxed, in order to maintain the ſupremacy of the Britiſh legiſlature.

Mr. Dunning divided the meſſage into two parts. On the firſt he obſerved, that it contained no condition implied or expreſſed. It was his majeſty's intention as immediately from his own mind, declared in the moſt poſitive terms the Engliſh language is capable of conveying. It was a complete undertaking on his part to pay for the 4000 men, if the Iriſh Houſe of Commons ſhould chuſe to conſent or accept of the terms. It was impoſſible in the nature of things, that any man poſſeſſed of any thing he could properly call his own, or binding himſelf to the execution of any act within his power, could promiſe in terms more clear, poſitive, or unequivocal, than thoſe in which this part of the meſſage was conceived. To get clear of this, he ſaid, two modes had been adopted, both with equal bad ſucceſs. One of thoſe was a naked contradiction to the obvious ſenſe of the words; but ſuch an unſupported denial was abandoned in the very inſtant it was urged; for the noble Lord (Lord Clare) and the honorable gentleman (Mr. Ellis) who aſſerted at random, being conſcious that it was but a random aſſertion, endeavoured to explain it, by ſaying that the affair was conducted preciſely in the manner of a ſubſidiary treaty. This he ſaid was ſtill worſe, for no argument was better than a bad one. It was well known, that the king, when treating with foreigners, repreſented the ſtate, which could never be the caſe, when treating with one part of his ſubjects, and engaging for another; beſides, the conſequence, had the offer been accepted by the Iriſh parliament, would have clearly ſhewn the difference, and eſtabliſhed the diſtinction beyond all queſtion. The troops, if the ſeaſon of the year had permitted, might be now in America; the foreigners might be landed in Ireland. Great Britain was pledged; the cauſe in which the troops were to be employed, and the neceſſary arrangements by which the meaſure was to be brought about, was a favorite one; ſo that the whole buſineſs might be effected by his majeſty's bare intention, as completely without, as with the conſent of the Britiſh parliament. The ſecond part of the meſſage, he inſiſted, was clear and explicit. The offer was to replace the 4000 troops, by an equal number of foreign Proteſtants, " if it be the deſire of par-
" liament." Here again was clear intention, and offer expreſſed, with the condition

condition annexed, that was, " if it be the deſire," &c. By every rule of legal conſtruction or common ſenſe, if there be an undertaking accompanied by a condition, if the condition be accepted by the party to whom it is propoſed, the bargain is from that inſtant complete, and mutually binding on both parties. If then the propoſition were a poſitive one, and it had been accepted, it only remained to diſcover whether or not it were the commons of Great Britain, whoſe word was thus pledged without being conſulted. This, he preſumed, would require very little proof. No man would ſay that Hanover was to bear the burden: he could leſs think that any of his majeſty's new allies were to do ſo, however zealous they might be for chaſtiſing his rebellious ſubjects in America. The civil liſt, he ſuſpected, was ſtill leſs equal to afford ſo heavy a diſburſement. Where then could the neceſſary means of paying ſo large a body of men be obtained but from the Britiſh parliament? By what had fallen in debate, as well as general declarations made at the time this buſineſs was firſt mentioned, he underſtood this famous meſſage had been diſavowed by the miniſter, and his friends on this ſide of the water. He preſumed the miniſter on the other ſide did not venture to do it entirely on his own judgment. This excited his curioſity to know where it originated. It would be a ſufficient anſwer, if the miniſter either here, or in Ireland, owned it. If neither did, but the advice came from another quarter, he ſhould be glad to know, becauſe in ſuch an event more particularly, it would be the duty, as it ought to be the wiſh, of the houſe, to ſift the matter to the bottom, in order to come at the real author or authors.

Lord North gave a long narrative of the increaſe of the eſtabliſhments which took place in Ireland in 1769, and of his majeſty's promiſe to his Iriſh parliament, that 12,000 men ſhould always remain within that kingdom, except in the event of a rebellion in this. He ſaid, the royal promiſe, though binding on his majeſty, was not law, therefore ſending the troops out of this kingdom, to the amount of any number, was perfectly legal. His lordſhip ſaid, he would not anſwer the general queſtion put to him by the laſt honorable gentleman, not chuſing to gratify mere curioſity, at the expence of betraying the ſecrets of the cabinet. He avowed the having co-operated with the reſt of the king's ſervants, in giving general inſtructions, but would not charge his memory with having any immediate hand in drawing up the particular letter or paper, on which the preſent meaſure was ſuppoſed to be taken. He ſaid, he thought it was perfectly juſtifiable, and was willing to

ſhare in the conſequences. Yet he could not ſee how it was fair in argument to charge adminiſtration here with ſpecific meaſures taken in Ireland; nor could he conceive, either poſitively or by implication, that he or his colleagues in office, were bound in any manner by what paſſed in another kingdom. To ſome alluſions made by Mr. Dunning and Mr. Gordon, relative to the Hanoverians being ſent to Gibraltar and Minorca, and the fate of the indemnity bill, he replied, he thought the meaſure perfectly legal, and was ready to meet his adverſaries on that ground whenever they thought fit. He gave a hiſtory of the indemnity bill, and in a humorous way proved it was thrown out by a noble marquis in the other houſe. If introducing foreign troops were an improper meaſure, the miniſter in Ireland acted perfectly right, for he declined to ſupport it; he finiſhed with obſervations on the German reſources, and the poverty of the civil liſt.

Lord John Cavendiſh roſe to give his atteſtation of the perſonal worth of Lord Harcourt. He obſerved, that his lordſhip had been little acquainted with public buſineſs till his late appointment; therefore, if it were his own meaſure, he was much the more excuſable; but he believed it was not. However, if it were not, as the Iriſh nation had been too wiſe and too ſpirited to accept of one part of the propoſal; and as miniſters, whatever they might affect to the contrary, had not dared to ſend a ſingle man out of Ireland on ſuch an authority, the matter hardly deſerved the time and attention ſome gentlemen ſeemed willing to beſtow on it. The people of Ireland had already done half the buſineſs, by refuſing the offer; the miniſter had in fact done the other half from his own fear; ſo that on the whole, he did not deſire to ſend the matter to a committee, but wiſhed to come to ſome deciſive reſolution, which would condemn the whole tranſaction, without any particular reference or application to thoſe, who might be ſuppoſed to have firſt planned, or endeavoured to carry it into execution.

Lord George Germaine contended that whatever might have been the ſenſe of the meſſage, his majeſty's ſervants could not be ſuppoſed to be ſtrictly anſwerable for its contents. He ſaid, Lord Harcourt might have miſtaken, or exceeded his inſtructions. He did not know he had. Or he might have conveyed his meaning in the cleareſt terms: whether he did, or did not, the firſt part of the meſſage only propoſed a matter to the conſideration of the Iriſh parliament, clearly and legally within the conſtitutional exerciſe of the regal power. If his majeſty had not given his royal promiſe to keep 12,000 men within

within the kingdom, he might have ordered the whole, or any part of the troops on that eſtabliſhment, to any part of the Britiſh dominions he pleaſed, without applying to the parliament of either kingdom. He ſaid, he had heard a great deal of what had paſſed in debate in the Houſe of Commons of Ireland, but he could not perceive what direct relation it bore to what now was under conſideration. The efficient miniſter, as he was called, was likewiſe much ſpoken of; Sir John Blacquiere ſaid this, and Sir John Blacquiere ſaid that; but for his part, what Sir John Blacquiere ſaid one way or the other, was of no great conſequence. He knew a Sir John Blacquiere, and had been in converſation with him; but in what way what he ſaid could be made a ground of cenſure on a Britiſh miniſter, was more than he could reconcile to the relation they really ſtood in to each other, if they ſtood in any. He confeſſed, the meaſure of paying for 8000 men, when we were to have the ſervice but of 4000, was extremely uneconomical, and he thought very improper: yet if 4000 men could be had upon no better terms, and that it was ſuppoſed it might be more proper to ſend natives than foreigners to America, the meaſure on that account, and that alone, might be defended.

Lord Irnham. As I am juſt returned from Ireland, where I have attended cloſely to the proceedings of that parliament, it may be expected from me to ſay ſomething on the preſent queſtion. I ſhall therefore endeavour to ſhew the houſe, whether the honorable gentleman now in my eye, (Mr. Conolly), and a member of that parliament, as well as of this, has given you a true account of the conduct of government there relative to the matter now before you; or whether the repreſentation of it by the gentlemen who oppoſe the right honorable member's motion, ought moſt to be relied on. The doubt to be cleared up is, what was really the meaning of government there in the meſſage ſent to both houſes of parliament? The words of the meſſage have been already read to you, and it has been very ingeniouſly, though ſomewhat variouſly explained by the gentlemen of the treaſury bench: but the lord lieutenant's ſecretary, (who as a noble lord on that bench, and other gentlemen who heard him, and as well as his lordſhip, have held that office, well know, is always conſidered as the miniſter in the Iriſh Houſe of Commons), clearly expreſſed and interpreted the meaning of it; which was, that the Iriſh parliament ſhould conſent to the introducing into the country 4000 foreign Proteſtants, in conſideration of which, they ſhould aſſure his majeſty of their readineſs to ſpare 4000 men of the troops on the Iriſh eſtabliſhment for the

ſervice of America, to be likewiſe paid by Great Britain; and it was expatiated upon by him, and all thoſe who ſpoke on the ſide of government, how advantageous ſuch an offer muſt be, which provided equally for the ſafety of Ireland, as if their own troops had remained in it, and would moreover bring 80,000l. of Engliſh money into the kingdom. The ſpeech was anſwered by addreſſes from both houſes—that of the lords immediately to the king; that of the commons to the lord lieutenant; in ſubſtance the ſame as returning thanks for the offer, but refuſing the introduction of the foreign troops, proving that they choſe to defend their country, even in its preſent precarious ſituation, by the exertion of their own efforts, rather than to adopt ſo unconſtitutional and dangerous a meaſure; which ſentiment of theirs certainly did them honor: but at the ſame time they conſented by addreſs, to ſend to America the 4000 additional troops requeſted of them, both houſes underſtanding, however, (as it is well known) that an act ſhould be paſſed to legalize the terms of the ſaid addreſs, as the crown had precluded itſelf by act of parliament from the right of ſending more than about 3000 men out of that kingdom, which number it had already exceeded. A bill was accordingly brought in, wherein were inſerted two clauſes calculated to effect that purpoſe; but to the aſtoniſhment of the public, thoſe cauſes were thrown out in England: and an act was again paſſed, barring the crown from the power of ſending any more troops abroad than would leave 12,000 men on the eſtabliſhment for the defence of Ireland, and conſequently the effect of the addreſſes of both houſes was thereby deſtroyed, whilſt at that very time government declared its reſolution to ſend thoſe 4000 men to America, in conformity to the addreſſes of both houſes, and ſignified, that they did not conſider the crown as bound by the act, to which the royal aſſent has juſt been given, to keep 12,000 men in that kingdom, under pretence of its not being in the enacting part, though in the preamble of the act: but whoever reads it, will find that compact not only in the preamble, but alſo ſo ſtrictly tied to that part of the act which grants the ſubſidy, (being about 450,000*l.*) that if the crown be not bound thereby, above two-thirds of the conceſſions from the crown to the ſubject by act of parliament ſince Magna Charta, will fall to the ground, and the crown has forfeited its right to thoſe ſubſidies. I remember upon this being hinted at by ſome members of the Iriſh parliament, too ſanguine for government, the law ſervants of the crown (men of great abilities), avoided the queſtion on that ground. As to the preſent lord lieutenant of Ireland,

land, of whom many handſome things have been ſaid by gentlemen on both ſides of the houſe, thoſe qualities mentioned, are, I apprehend, relative only to his private character, which merely as ſuch, has, I think, good ingredients in it: but we don't ſit here to diſcuſs private characters; his miniſterial and public one is what we are to conſider, and I will ſpeak out—the talents and abilities of that miniſter of the crown are by no means equal to his ſtation. Two millions and a half of people is a truſt of too great weight for him to ſuſtain; and he has ſufficiently avowed his incapacity to govern them, by delegating all his power to his ſecretary. To conclude, the meaſures purſuing there being illegal, muſt diſpleaſe the beſt and ſoundeſt part of his majeſty's ſubjects; and though for certain purpoſes the miniſtry have this day ſpoken very advantageouſly of Ireland, if they go on in acting as they do, they will meet with the united efforts of that country in oppoſition to their attempts; and then, inſtead of panegyric, they will call out to this houſe for reſtraining and incapacitating bills, to puniſh that kingdom, as they have done America. Let me therefore recommend to the noble lord now at the helm, to attend whilſt it is time, to that alarmed part of his majeſty's moſt affectionate ſubjects, and to forgive me if I heartily intreat him to apply his utmoſt care to rectify the errors of government in that kingdom. In the preſent caſe now before us, the conduct of adminiſtration, relative to the meſſage from Lord Harcourt to the Iriſh parliament, has been unconſtitutional and highly blameable. I am therefore to thank the right honorable gentleman for the motion, and to expreſs my hearty concurrence in it.

Mr. Fox obſerved, that as the adminiſtration of both kingdoms were totally unconnected, ſo was every individual who compoſed them. No two of the confidential ſervants of the crown who ſpoke agreed in a ſingle ſentiment. Some allowed the meſſage to import what was ſtated in the complaint; others acceded to a part of it, it manifeſtly intended: but in this diverſity of opinion, there was one thing too curious to paſs unnoticed, that was the language uſed by two or three members of adminiſtration, which was deſcribing the miniſter of the Houſe of Commons in Ireland, and the ſpeaker, under the undefined terms of one Edmond Sexton Perry, and one Sir John Blacquiere.

Mr. Attorney General ſaid, the motion was a party ſquib, not worth attending to; and that the preamble to an Iriſh act of parliament did not bind the parliament of Great Britain.

Governor

Governor Johnſon ſaid, the miniſters here throw all the blame upon the miniſters in Ireland.

Lord North gave a great encomium of the adminiſtration of Ireland ſince the appointment of the preſent lord lieutenant; obſerving, that no better proof could be given of it, than that it was attended with uncommon ſucceſs.

Mr. Conolly obſerved, it was no wonder the government of that kingdom ſhould be attended with ſucceſs, when 265,000*l.* had been raiſed on a ruined impoveriſhed country. (Here he was proceeding to ſhew how unable the Iriſh were to bear ſuch a burthen; and to give a detail of the penſions that had been lately granted, the places that had been newly created, and the various means that had been employed to influence and corrupt the repreſentatives of the people, when he was interrupted by Lord North, as applying to matters not at all relating to the ſubject of the debate.)

Mr. Fox inſiſted, that the matter ſtated by his honorable relation was perfectly within order; that it grew directly out of the ſubject of debate; and that if his lordſhip appealed to the ſucceſs of adminiſtration in Ireland, as a proof of the wiſdom or mildneſs of the government there, it was no leſs fair in argument, than conſonant to order, to ſhew the true cauſes of that boaſted ſucceſs. (Here the altercation was put an end to, by the queſtion being called for.) The queſtion was put on Mr. Townſhend's motion for a committee. The houſe divided; for the motion 106, againſt it 224.

No. LXIX. *a.*

" *An Addreſs from the Belfaſt Firſt Volunteer Company, to the Officers and* " *Privates of the ſeveral Companies to be reviewed at Belfaſt, 31ſt of* " *July*, 1782. (*P.* 629).

" GENTLEMEN,

" FROM a conviction that the preſent is a critical mo- " ment for Ireland, inaſmuch as we conceive that the queſtion whether we " ſhall be free or an enſlaved people depends on it; we humbly preſume that " an addreſs, induced by the pureſt motives, will not be held preſumptuous, " and that every reaſonable allowance will be made for us by the liberality of " our fellow ſubjects and ſoldiers, the volunteers of Ulſter.

" The

" The ſtruggles which this loyal nation has lately made toward caſting off " the uſurpation of a country which cannot juſtly claim a ſingle right to " which Ireland is not by charter, juſtice, and nature, equally entitled, have " excited the admiration of every ſtate in Europe. But at this period of Iriſh " virtue, were we contentedly to ſit down with any thing ſhort of complete " freedom, we ſhould render ourſelves odious to millions yet unborn, who " would tax us with having meanly ſold an opportunity of reſcuing the land " from the yoke of ſlavery at ſuch an æra as the revolution of centuries may " not again produce.

" The deſigns of ambitious men may for a time miſlead, but cannot long " delude a people of that ſound plain underſtanding by which even the infe- " rior claſſes of the men of Ulſter have ever been diſtinguiſhed. With ſuch " men, ſimple ungarniſhed truths, level to every capacity, muſt have their " weight, and will, it is preſumed, rouſe them to a ſenſe of the dignity and " independence of their nation.

" The intention of this addreſs is with all humility to impreſs the following " great and ſerious truths:—That the rights of this kingdom are not yet " ſecured, nor even acknowledged by Britain, partly owing to the delu- " ſions of many ſincere friends, to the perfidy of pretended ones, and to an " error committed through precipitancy by our repreſentatives in the ſenate. " That unleſs a ſpark of that ſacred flame, which but a few days ago glowed " in every breaſt in Ulſter, be again excited; the glorious attempt of this " country to procure its emancipation, inſtead of producing any real perma- " nent good, will too probably be the means of depriving us of our rights " for ever.

" Let us then trace the growth and progreſs of our late ſpirit, and let the " claims aſſerted at Dungannon, on the 15th of February, be the ground- " work of our enquiry.

" The ſpirit of that great day's proceedings, which was re-echoed from " every quarter, may eaſily be collected from the following quotations:— " Your repreſentatives there aſſembled, declared, ' That a claim of any ' body of men other than the king, lords, and commons of Ireland, to make ' laws to bind this kingdom, is unconſtitutional and a grievance.

' That the ports of this kingdom are by right open to all foreign countries ' not at war with the king; and that any burden thereupon, or obſtruction

" thereto,

' thereto, ſave only by the parliament of Ireland, is unconſtitutional and a ' grievance.'

" A moment's reflection will ſhew, that the firſt of theſe two reſolves clearly " applies to a denial of the pretended right of Britain to internal legiſlation " for this country; and the latter reſolve as decidedly determines with reſpect " to external legiſlation, as our right to a freedom of commerce is its very " ſoul and baſis.

" If it appear that theſe demands of Ireland, which aroſe from your own " act, and from which you cannot recede without drawing down eternal " diſhonour on your poſterity, have completely and without equivocation " been acceded to, then the preſent diſcontents and jealouſies are groundleſs " and ſhould ceaſe; but if a candid diſquiſition evinces the contrary, the " voice of Ireland ſhould again be raiſed, and rather than the pride of a ſiſter " (in an honorable connection with whom we will ever glory) ſhould tram- " ple on the deareſt rights of our nature, we ſhould meet our danger like " men deſerving to be free, and by acting with the boldneſs of conſcious " virtue and true dignity, we would probably ſecure for ages the intereſt, " peace, and affections of the two kingdoms.

" Our Houſes of Lords and Commons, forced into the temporary practice " of virtue by the demands of an armed people, complained of the Britiſh " Declaratory Law of 6th of George I. and of the powers, as the lords ſaid, " and of the claims of it, according to the commons.

" Every one muſt recollect in what manner demands, on the accuracy of " which the ſettlement of the rights of three millions depend, was precipi- " tated. Imperfect, however, as they were, their general tenor went to de- " mand an eternal renouncement of all power of legiſlation for this coun- " try, however marked by the futile, groundleſs, and inſidious diſtinction of " external and internal.

" In the addreſs of our commons to the king, we find the following ani- " mated expreſſions to this point:

" There is no body of men competent to make laws to bind this kingdom " except the king, lords, and commons of Ireland; nor any other parlia- " ment which hath any authority or power of any ſort whatſoever in this " country, ſave only the parliament of Ireland. To aſſure his majeſty, that " we humbly conceive that in this right the very eſſence of our liberties

exiſts;

" exiſts a right which we, on the part of the people of Ireland, do claim as " their birth right, and which we cannot yield but with our lives."

" Let us examine how this claim, ſo ſolemnly advanced by the repreſenta- " tives of a nation, was received, and what effects it produced on our repent- " ing ſiſter."

" Mr. Fox, a man of the firſt abilities in Europe, who was the oſtenſible " miniſter of that day, moved for a repeal of the 6th of George the Firſt in " the Britiſh Houſe of Commons, a repeal which has ſince drawn ſuch floods " of gratitude and ill-timed applauſe from the open, ſincere, unſuſpecting " hearts of Iriſhmen. In a ſpeech in which his great abilities were fully " employed, introductory of the Iriſh buſineſs to the parliament and people " of Great Britain, a buſineſs of which he was the avowed patron, in the " very ſame breath, with which he urged the juſtice of our demands, aſſerted, ' that he always made a diſtinction between internal and external legiſlation, ' and though it would be tyranny to attempt to enforce the former in coun- ' tries not repreſented in the Britiſh parliament, yet he was clear that the ' latter was in reaſon and policy annexed to the Britiſh legiſlature.' A little " after he preſents a juſt though dreadful view of that very ſpecies of uſur- " pation which he dignified by giving it the air of a right, though he little " intends that it ſhould be ſeen in ſo clear a light as it has been by every " thinking man in this country:—His words are ' but fatally for this country ' this power of external legiſlation had been employed againſt Ireland as an ' inſtrument of oppreſſion to eſtabliſh an impolitic monopoly in trade, to en- ' rich one country at the expence of the other.' Could a more ſtriking il- " luſtration of the abominable ſtate of ſubjection to which we were according " to his aſſertion reduced, and ſtill are ſubject, be given? This picture drawn " in a Britiſh Houſe of Commons, exhibits a nation deprived of even the " ſhadow of conſtitution, and conſequently its deareſt intereſts lying at the " mercy or rather caprice of a neighbouring nation; of a nation whoſe po- " licy it had ever been to check and deſtroy in the bud, every proſpect of " gain and commercial advantage, which did not directly tend to her own " opulence or did not gratify her own luſt for power.

" We might defy the moſt deſcriptive pen to delineate the features of the " moſt abject ſlavery with more truth and accuracy.

" We do not mean to tax the then premier with any miſconduct as a Bri- " tiſh miniſter, as we cannot but ſuppoſe he fairly repreſented the ſentiment

" of the cabinet; the ſentiment of an adminiſtration uncommonly popular,
" and of the bulk of the Britiſh nation; for we are well aware that a man
" ſituated as he was, durſt not, as premier, utter a ſentiment not according
" with that of his colleagues; alſo that his chance for remaining long in
" office depended on his acting up to, and holding ſuch language as, conſi-
" dering the circumſtances of the times, would be moſt pleaſing to the coun-
" try to which he belonged. Mr. T. Pitt, who ſeconded the motion of Mr.
" Fox, further advanced, ' that he knew no difference between internal and
' external legiſlation, and that he would not, to his laſt breath, think other-
' wiſe. Lord Beauchamp was the only man who contended againſt the claim
" of externally legiſlating for us, and who foreſaw that any thing ſhort of a
" relinquiſhment of that claim as well as the other, could not be ſatisfactory
" to this country. A few days after the miniſter ſaid, that the firſt men of
" Ireland were content with a repeal alone. In that ſhape the law paſſed,
" and we were perſuaded in the ſecond addreſs to admit the idea, not indeed
" of a ſimple repeal but a repeal without ſtipulation or condition, and which
" might have been full and ſufficient if properly worded.

" We have, from theſe circumſtances, every preſumptive evidence, that it
" never was the intention of Britain or of Britiſh miniſters to relinquiſh the
" right, and that their favour extended no farther than to a ſuſpenſion of its
" exerciſe, which in her then debilitated ſtate ſhe could not enforce.

" We have here avoided mentioning the very cogent reaſons advanced by
" the Right Honorable H. Flood, and the great view he has opened of the
" queſtion to the kingdom at large: we muſt, however, pay him that tribute
" of praiſe, that no man yet has been hardy enough (ſave Mr. Dobbs) to meet
" him on that ſubject, either in parliament or in the public prints. As to
" that gentleman's impregnable ' fortreſs, founded on a rock,' we preſume it
" could be taken without much difficulty: but as it is purpoſely erected to
" withſtand the abilities of the greateſt man, and perhaps the moſt profound
" conſtitutional hiſtorian in the Britiſh empire, we ſhall not here preſume to
" attack it.

" It is very foreign from our intention to attempt to open new grounds of
" controverſy with England; but we ardently wiſh, and will never ceaſe to
" hope, that the people of this kingdom will, by perſeverance and an exertion
" of ſpirit, bounded by loyalty to our prince and a love of the Britiſh conſti-
" tution, according to its pureſt principles, very ſpeedily obtain the wiſhes

" expreſſed

" expreſſed by its inhabitants in every capacity, and by the addreſſes of its " own parliament to its ſovereign. As to volunteers, it is evident that their " honor is bound by the determination of their firſt and only glorious meet- " ings in their different provinces, and that they cannot retract without ig- " nominy and contempt. Let a reflection on the miraculous effects your " own ſpirit, diſplayed at one of your Dungannon meetings, produced on all " deſcriptions of men, as well the courtier as the timid friend, teach you that " even unanimity among ourſelves, as well as a laſting and happy connection " between the two contending parties, can only be obtained by again ſpeak- " ing out with that ſpirit, which characterized Iriſhmen on the 15th of Fe- " bruary, 1782, and which rendered it a day that will make an eminent figure " in the annals of the empire.

" Recollect that Ulſter led the way, that the other provinces followed the " great example with redoubled vigor, and that we cannot doubt they will " do ſo again; that diſcontents againſt men and meaſures are gone forth, " and are hourly encreaſing; that the firſt meeting of Ulſter is equally the " pride of every man in Ireland; and the laſt one pretty generally reprobated " as premature, ill-judged, and not conveying the ſenſe of the conſtituent " body. Such reflections will convince every impartial man, that a ſpeedy " meeting on the hill of Dungannon, (the delegates being previouſly in- " ſtructed by the people, in whom only true ſpirit exiſts, and taught only to " echo their ſentiment) can alone, in the preſent mutilated ſtate of our affairs, " ſo lately promiſing every bleſſing, give us the chance of a free conſtitution. " Do not forget that Connaught has, in her addreſs to his majeſty, laid " down, in the moſt pointed terms that language could convey, the very " principle which we here endeavour to eſtabliſh and maintain; where ſhe " informs his majeſty, that a revival of the claims, either of external or in- " ternal legiſlation, would for ever ſever the two countries.

" If you follow her ſteps in that point, what can poſſibly be dreaded? You " will at that inſtant, with her, compoſe a large majority of the armed force " of Ireland: and no man who has not ſiniſter, diſhoneſt views, can pretend " to allege that perfect unanimity would not prevail over the whole king- " dom, as it did when there was much leſs chance or expectation of it.

" The Britiſh legiſlature in claiming a right to external legiſlation for this " country, aſſumes an abſolute control over our commerce and foreign trade; " and conſequently can, if we admit her claim, prevent us from forming

" any commercial connection with any nation on the globe, however well " calculated our produce or manufactures may be to ſerve ſuch nation. " When ſuch a prepoſterous claim is made, will any man, in his right reaſon, " ſay that this is enjoying equal liberty; or that we have, under ſuch baſe " reſtraint, received what Britain was pleaſed to term a free trade, when the " moment of her depriving us of a commerce, even with foreign nations, de- " pends merely on her own caprice, or her own intereſt?

" Slavery cannot be of a deeper complexion!

" It may be alleged, that this is the price we pay for the protection of " the Britiſh flag. But let us not deceive ourſelves. Ireland is, and ever " was, one of the beſt pillars of the empire, and contributes more to the ag- " grandizement of Britain than any other country ſhe is connected with. " But independently of this circumſtance, will any man, not enamoured with " the horrors of bondage, dare to aſſert that the loſs of civil liberty ſhould be " the price of any protection whatever!

" We take the liberty of ſubmitting three reſolutions to your deliberation, " which we will move through our delegate the day after the Belfaſt review, " when addreſſes to the reviewing general will be moved for.

" Previous to that day, we hope, you will inſtruct your delegate, which " will attend the meeting, whether you chuſe that he ſhould give your aſſent " or diſſent to them.

" 1*ſt Reſolve*, That a Dungannon meeting be held on the — day of —— " for the purpoſe of conſidering whether any, and which of the demands of " the province of Ulſter of the 15th of February, 1782, have not yet been " complied with. If any are found not yet complied with, prudent mea- " ſures may be adopted for obtaining them, as alſo for obtaining an Iriſh " ſtatute, declaring that the ſole right of both external and internal legiſla- " tion is veſted in our own parliament, and in no other, as its receiving the " aſſent of a prince, in whom the two crowns are united would be held a " ſtrong ſecurity, and would adminiſter general ſatisfaction.

" 2*d Reſolve*, That it is not the ſenſe of this meeting that a ſimple repeal " of the 6th of George I. can be accepted as a ſufficient renunciation of the " claim of external and internal legiſlation formerly exerciſed over this " country.

" 3*d Reſolve*, In order to guard againſt an undue uſe of delegated power, " that it be held a general principle, that no reſolutions or addreſſes, which

" may

" may be adopted at any future aſſemblies of delegates, can be conſidered as " being the reſolutions and addreſſes of ſuch volunteer companies, until the " chairman ſhall have tranſmitted copies of their proceedings to all the com- " panies for whom delegates appeared, each of which corps ſhall deliberate " collectively upon ſuch proceedings, and return to the chairman on or before " a limited day, their ſeveral approbations or diſapprobations of each reſolu- " tion and of each addreſs. That as ſoon as it has been aſcertained, which " reſolutions and which addreſſes are agreeable to the majority, then, and not " before, ſuch reſolutions ſhall be held binding to the conſtituent body, and " the addreſſes ſhall then be preſented or tranſmitted. That ſuch chairman " ſhall, in the public prints of the province, publiſh ſuch aſſents or diſſents of " corps to each reſolution and each addreſs.

" We have the honor to be,

" Gentlemen,

" Your fellow ſubjects and ſoldiers.

" (Signed by order of the Company) WADDELL CUNNINGHAM.

" *Belfaſt, July* 18, 1782.

No. LXX. *a.*

Letter from Mr. Francis Dobbs to Lord North. (*P.* 488.)

MY LORD,

FROM what has fallen from your lordſhip in regard to Ireland, I conceive you are greatly miſinformed, as to the ideas of the people at large. It is of the utmoſt conſequence, in ſuch a moment as this, that our ſentiments ſhould not be miſunderſtood. If they are, apparent ſatisfaction may conceal real jealouſy and diſtruſt; the bane of friendſhip in nations, as well as in men.

Your lordſhip dwells on the addreſs of our parliament being a petition for indulgence, not a demand of rights. My lord, I conceive that addreſs was to the King of Ireland, without whoſe approbation our laws cannot be altered or enlarged. If your lordſhip conceives that it was a ſupplication to the parliament of Great Britain, I apprehend you are miſtaken. When the parliament of Ireland addreſſed their king, and told him that nothing but a free

trade could ſave their country, they could not, I am perſuaded they did not, forget why Ireland had not a free trade; they could not forget that Ireland was bound by Britiſh acts of parliament.

But, my lord, ſhould it even be poſſible that our parliament could forget the great queſtion of right, it cannot be forgot by the people; they know it, and will remember it. As one of that people, I deem it eſſential to freedom, and think myſelf juſtified as a man entitled to be free, to publicly argue for my own and my countrymens' rights. The inveſtigation of truth cannot be improper. In this inſtance, I am convinced that the ſureſt mode of promoting the welfare of both kingdoms, is to have our connexion fully explained and perfectly underſtood.

As an Iriſhman, give me leave to expreſs my obligations to your lordſhip, for the kind intentions which you have manifeſted to my country; I do not even believe my countrymen want more than it is your wiſh to give. But, my lord, they want it in a different mode; they want what they have a right to, ſeparated from the bounty of England. It ſhall therefore be the object of this letter to point out my own, and what I apprehend to be their reaſons, for wiſhing for ſuch a diſtinction.

At firſt, my lord, your propoſitions, which have now in part become a law, gave pretty general ſatisfaction. Men hitherto reſtrained in almoſt every branch, naturally rejoiced at the firſt view of an extended commerce; but when reaſon had inveſtigated the principles, on which that extenſion was given; when it was found to be a matter of expediency, not of right; when it was perceived that it rather eſtabliſhed than relinquiſhed the power of Britiſh legiſlation over Ireland,* our tranſports ſunk into a very moderate degree of pleaſure; and even that pleaſure was leſſened by the precarioufneſs of enjoyment.

My lord, we claim to be a kingdom, with every right belonging to a kingdom; governed by our own legiſlature, the king, lords, and commons of Ireland. We complain of the Britiſh legiſlature making laws to bind Ireland. We alledge it is without right, and we require that the legiſlature of Great Britain ſhould relinquiſh a claim that we ſay they are not entitled to, and that they ſhould obliterate the name of Ireland from their ſtatutes.

This is a ſhort creed, but like all creeds admits of much explanation; let

* The act of parliament lately made, only repeals part of the Engliſh acts binding Ireland.

us fairly diſcuſs it; the examination will be no impeachment even to your lordſhip's abilities, though it ſhould oblige you to correſpond with a man ſo much your inferior in rank and underſtanding. If my ideas, if the ideas of my countrymen are unjuſt and unreaſonable, we are ſurely entitled to an explanation why they are ſo. If they are juſt and reaſonable, they ſhould be complied with. If they are juſt and reaſonable, and not complied with, we have a right to do ourſelves juſtice, if ever we have the power.

Here, my lord, I ſhall beg leave to aſk two queſtions: Is the kingdom of Ireland conſidered by the legiſlature of Great Britain as a conquered nation? If not, is Ireland conſidered as a free kingdom, united with England by long uſage, ſimilarity of manners, vicinage and a common king?

If we are deemed a conquered nation, and as ſuch to hold every thing we poſſeſs at the will of the Engliſh, our conquerors; if we are in all things ſubject to their caprice; ſtill, my lord, there is one right that I apprehend cannot be taken from us: It is a right I almoſt bluſh to mention; it is the right of the vanquiſhed; the right of regaining our freedom, whenever we are able to throw off your yoke. If you ſay, as I truſt you will, that we are a free people, you muſt allow us thoſe rights which are indiſpenſably neceſſary to the very exiſtence of freedom; and if on enquiry it ſhould be found that Ireland has not ſuch rights, becauſe Great Britain has exerted an arbitrary power to which ſhe was not entitled, Great Britain muſt either relinquiſh ſuch an evaſion of our rights, or ſupport it, as ſhe made it---by power.

What, my lord, conſtitutes the freedom of a people? What is the boaſted freedom of a ſubject of Great Britain? Is it not, that he is governed by laws to which he has aſſented either by himſelf or his repreſentative? Is it not that he cannot be bound by laws that do not affect thoſe who make them, as well as himſelf? What, my lord, is the definition of a ſlave? Is it not where a man is bound by laws, to which he never aſſented, and lies at the mercy of a power, over which he has no controul? Weigh theſe two definitions, and tell me what is Ireland?

Great Britain's repealing part of thoſe laws by which I apprehend ſhe has unjuſtly bound Ireland, is no ſatisfaction, nor are we leſs enſlaved. In fact, your propoſitions, and the law founded upon them, eſtabliſhes that power, which I, and I believe my countrymen deny. The word expedient conveys a thouſand things repugnant to the rights of Ireland. It may hereafter be deemed expedient to revoke the very indulgences you now find it expedient

to grant. It may be expedient to diſſolve our parliament, and never call another; it may be expedient to tax Ireland by a Britiſh act of parliament, and enforce it by a Britiſh armament; where ſhall we ſet bounds to expediency, and how can its limits be aſcertained? But, my lord, I will venture to aſſert, and I now call on your lordſhip to refute it if you can, that Ireland is not free, whilſt England has the power of binding Ireland by Britiſh acts of parliament. I will venture to aſſert, we are not leſs ſlaves, though Britiſh legiſlation never found it expedient to exert the power it claims; the moſt abſolute monarch on earth may make his ſubjects happy, but whilſt he has the means of making them miſerable, they are not, they cannot be free.

The Iriſh for a long time remained in ignorance as to their ſituation; thoſe amongſt them who perceived it, thought it would be cruel to ſhew them rights, without a poſſibility of their obtaining them. Particular circumſtances have led them to particular enquiries. Enquiry has made them acquainted with their ſituation; and it is, my lord, the characteriſtic of my countrymen to be impatient under their wrongs, which they feel and underſtand.

I do not deceive you when I ſay, that this reaſoning is very general amongſt Iriſhmen. I do not deceive you when I ſay, we are attached to England, and ſeek a connexion with her, in preference to the reſt of mankind. But, my lord, our firſt attachment is to freedom, and every other is a ſecondary conſideration. To be in poſſeſſion of freedom, we muſt know what is our right. As to favors, we ought, and I am perſuaded are willing to give an equivalent. But, my lord, we wiſh to have the line between rights and favors aſcertained; the blending them together, if poſſible, we are determined to avoid.

My lord, we conceive that we are a free people, and as ſuch entitled to a free trade. We admit your right to ſhut your ports againſt us, but we claim a ſimilar power as to you. If we are as free as England this muſt be the caſe; if we are not, we are ſurely entitled to the reaſons why we are not ſo. We ſurely have a right to know why we are excluded from the undoubted privileges of a free people. Can your lordſhip blame us if we deem it neceſſary to know how we ſtand in point of right, in regard to Great Britain? We cannot build on a ſure foundation, or expect a laſting fabric, till this is aſcertained.

Your lordſhip ſays the Iriſh parliament is to do certain things, in conſequence

quence of Engliſh reſolutions. How, my lord, can this be? How can England treat with Ireland, until the Engliſh parliament relinquiſhes her claim of binding Ireland in all caſes whatſoever? Is it not, my lord, abſurd? Is it not a contradiction in terms, that an Engliſh parliament ſhould enter into a treaty with an Iriſh, if an Iriſh parliament is to be ſubject to the will of an Engliſh: and if an Engliſh act can bind Ireland in all caſes whatſoever.

I am aware it will be ſaid, that this overture from an Engliſh to an Iriſh parliament, tacitly admits that an Engliſh parliament has not a right to bind Ireland. Why tacitly? If England means to give up this claim, why not openly? The doing ſo would give confidence here. If on the other hand it ſhould be meant to deceive, to miſlead by the natural idea that muſt ariſe from the one parliament treating with the other, I will not heſitate in proclaiming it a mean ſubterfuge—a low cunning—unworthy of a man—unworthy of a nation.

In conſequence of your lordſhip's propoſitions, I will ſuppoſe wealth pouring into this kingdom from every quarter. Here, my lord, I will again aſk a queſtion: What ſecurity have we for wealth ſo acquired? If you have a right to bind us in all caſes whatſoever, you muſt have a right to tax us. If you have a right to tax us one ſhilling, you have a right to twenty in the pound; and had we the wealth of the Indies, whilſt you claim that power, and have force to execute it, we are but a treaſury, filled for the uſe of Great Britain. In abſolute governments, wealth and danger go hand in hand, and poverty is happineſs. If individuals grow rich they dare not enjoy their wealth, and are careful to conceal it. Their lives are often forfeited for ſuppoſed offences, to give a color to the ſeizing of their acquiſitions. The ſame reaſoning will hold in this inſtance. If, whilſt poor, you claim abſolute power over us, by what chain of reaſoning are we to ſuppoſe you will relinquiſh it, ſhould we become rich? It makes no difference that this power is veſted in the legiſlature of Great Britain, and not in a ſingle hand. Abſolute power in one or in many is the ſame. Its effect is equally deſtructive to the happineſs of a ſtate or individual.

I have frequently obſerved, my lord, when the ſubject of Iriſh rights has been broached, that the diſtreſſed ſituation of England has been introduced; that England has been repreſented as a nation ſunk in debt, and overwhelmed with difficulties. If it be ſo, I am, and I am perſuaded my countrymen are ſorry for it. But, my lord, as an Iriſhman, I cannot conceive that I am

to

to be a ſlave, becauſe England has been imprudent or unfortunate. I cannot conceive if England was ſinking, that Ireland is bound in any way, to go to the bottom with England. We are called ſiſter kingdoms, but if we were married, there is but one country* that I have heard of, where the wife ſacrifices herſelf on the funeral pile of the huſband, and I truſt Ireland is not inclined to follow ſo ſingular an example.

Be the ſituation of England what it may, what has Ireland to ſay to it? Have we ever expoſed you to war? Have we encreaſed your taxes? Have we been the cauſe of a ſingle misfortune? If your fleets have protected us, who occaſioned our wanting that protection? Have we not contributed both with our blood and treaſure in ſupport of your quarrels, without ſharing in your conqueſts? Are we not indebted, from our connexion with you, beyond our ability to pay?

My lord, I will go ſo far as to ſay, if the ruin of England was to follow juſtice to Ireland, yet ſtill we are entitled to that juſtice. The queſtion muſt ſtill reſort to firſt principles, and Iriſhmen cannot, ought not to have a confidence in Great Britain, till thoſe principles are fully aſcertained.

It is ſaid, my lord, that we have long acquieſced under this claim. For argument ſake I will grant it. England herſelf has been obliged in particular times to ſubmit to the moſt ſevere exertions of arbitrary power, but it has been the moſt diſtinguiſhed feature in the character of your countrymen, to watch for and ſeize the moment in which they had the proſpect of regaining their freedom. Witneſs your barons compelling the infamous John to grant them Magna Charta. Witneſs the decapitation of the miſinformed and unfortunate Charles. And witneſs the glorious revolution, by which the preſent king of England—of Ireland, is intitled to his crown. Will your lordſhip then, or your countrymen, be ſo unjuſt as to ſay, we ought to acquieſce in a claim, becauſe we have not hitherto had power to oppoſe it. Will you aſſert if at firſt the claim was unjuſt, it has changed its nature from the inattention or impotence of Ireland?

Strange arguments, however, ſometimes ſuggeſt themſelves. I have heard it argued, my lord, that the king of Ireland, reſiding in Great Britain, gives a right to ſupremacy there. To this there is a ſhort and concluſive queſtion; one, my lord, that I borrow from the elegant and well-informed Guatimozin

* A country in Aſia, where the bodies of the dead are burned, and the wife is placed on the funeral pile of the huſband.

—Had

—Had the king of Great Britain been in reality, what he is nominally, king of France; had he held his court at Paris; would Great Britain have allowed the king of Great Britain, in conjunction with the parliaments of France, to bind them in all caſes whatſoever? Apply this, my lord, to the ſubject of this letter, and anſwer the queſtion as you pleaſe.

In all connexions between free kingdoms advantages muſt be reciprocal. It muſt be the intereſt of both to preſerve the connexion; or that kingdom who finds herſelf hurt by the alliance, will infallibly quit it the moment it is in her power. Intereſt is the grand ſpring of action even amongſt men, though a few individuals may glorioufly deviate from it; but between nations it is, it muſt be the ruling principle.

My lord, it is my wiſh, and I hope and believe it is the wiſh of every good man in this kingdom, to form an alliance with Great Britain, which nothing can diſturb. I conceive this can only be done by a fair and candid enquiry into the natural rights of each kingdom. If Great Britain treats with Ireland under the idea of giving as little as ſhe can, and that little from neceſſity, Ireland can neither be thankful nor ſatisfied. You yourſelves will ſay that Ireland, from particular ſituation, has got more than you intended for her; and when that ſituation ceaſes, you will naturally endeavour to recal what you have ſo granted. On the other hand, Ireland looking for an eſtabliſhment of rights, cannot conceive herſelf obliged by what is given from expediency. Whilſt the great queſtion of right remains unaſcertained, mutual jealouſies and diſtruſts muſt affect the peace of both kingdoms. Iriſhmen cannot ſeriouſly wiſh the proſperity of a country which they conceive to be oppreſſing them; and England cannot be cordially our well-wiſher, whilſt ſhe conſiders us as a people ſhe has wronged; as a people ſhe muſt ſuppoſe anxious for an opportunity of procuring juſtice.

It may be ſaid, that finding fault is eaſy, but that it will be difficult to point out a mode of relief more ſatisfactory than the one your lordſhip has adopted; I ſhall, therefore, in a few words, lay down what I believe would be ſatisfactory to my countrymen; what I know would be ſatisfactory to my countrymen; what I know would be ſatisfactory to myſelf.

Let England declare ſhe has no right to bind Ireland by Britiſh acts of parliament, and entirely repeal all laws hitherto made for that purpoſe. It has been my endeavour to prove that England in doing this, would only do juſtice; ſuppoſe it done, Ireland would have a right to trade with all the world, but

all

all the world would alſo have a right of chooſing upon what terms, and in what inſtances, they would enter into commercial alliances with Ireland; Great Britain of courſe would have a right to ſay, you ſhall not trade with us, but on ſuch conditions as we ſhall think proper to require. The colonies would have the ſame right; and at this moment Ireland would have leſs than what your propoſitions, and the law founded, and to be founded on them, would give us; but then, my lord, the matter of right would be adjuſted; whatever wealth we acquired would be the wealth of freemen, and could not be taken from us but by our own legiſlature; then that frightful ſpirit raiſed in the reign of George the Firſt would be laid, and the fears and apprehenſions of Iriſhmen, with the Ghoſt, would vaniſh.*

If, my lord, we are admitted to trade with Great Britain and her colonies, I, as an Iriſhman, think we ſhould make a ſuitable return. If your fleets protect us, protect our trade, I think we ought in proportion to that protection, in proportion to that trade, contribute to their ſupport. Theſe, my lord, in my humble apprehenſion, ought to be the ſubjects of treaty between the two legiſlatures; then rights and favors would be diſtinct; a diſtinction which muſt give univerſal ſatisfaction here. If Great Britain really means to give us a permanent Free Trade, what can be her objection to being fully explicit. My lord, the conſequence would be, that induſtry would diffuſe her bleſſings over this heretofore devoted land; then, my lord, the merchant would plow the ocean, and the farmer his land with ſatisfaction and ſecurity; then Ireland would become the cheerful and powerful ſupporter of Great Britain.

My lord, I cannot expect you will take either my word or opinion for the ſentiments of my countrymen; but, my lord, it is ſurely worth your lordſhip's attention to enquire how far I am right in my opinion; if by that enquiry, you find that the people of Ireland, almoſt to a man, deny the right in a Britiſh parliament to bind them; if you find that they acknowledge no power on earth but their king, lords, and commons; and will not, if they can help it, pay obedience to the laws of any other; I ſubmit it to your lordſhip, whether it would be wiſe in the Britiſh legiſlature to voluntarily declare the ſtatute of 6 George I. c. 5. no longer in force, ſo far as relates to Ireland, and that it was made on the miſtaken idea, that England had a right

* The law declaring a right to bind Ireland in all in caſes whatſoever.

to

to bind Ireland. This, my lord, would heal every diſſenſion, would baniſh every jealous idea from our minds.

Many other things relative to Ireland croud upon my imagination, but as they are in general things that ought to be looked to at home, and as I wiſh to confine myſelf to the one great queſtion, I ſhall not longer intrude on your lordſhip.

In the courſe of this letter I have endeavour to ſteer clear of the leaſt offence to your lordſhip. I have endeavoured to argue without paſſion or prejudice, and I truſt I have in ſome degree ſucceeded.

I feel the fulleſt conviction, that an explanation of the matter of right is eſſential to the welfare and proſperity of both kingdoms, and it is from that conviction I have thus ventured to addreſs your lordſhip.

I am, with great reſpect,
Your Lordſhip's
Moſt humble ſervant,

1ſt January, 1780. FRANCIS DOBBS.

END OF APPENDIX TO VOL. I.

C. Roworth, Printer,
Bell Yard, Fleet Street.

ALPHABETICAL INDEX

TO THE

FIRST VOLUME.

A

ABBOT of Kilmainham ennobled by Hen. VIII. 62.

Abdication of the throne of England by James II. 180.

Abſentee Tax propoſed by Lord Harcourt, and oppoſed by the patriots, 422–8.

Addreſs of the commons for redreſs of grievances to the crown negatived, 374.
Lord Lieutenant for papers, &c. about ſeptennial bill, 375.
On motion for addreſs, the word *miſerable* condition, changed into *happy*, 375, 450.
To the throne on communication of the French joining the Americans, 455.

Adrian IV. Pope, an Engliſhman, 26.
His unwarrantable conduct in regard to Henry II. 28.

Adultery puniſhable among the Iriſh with death, 26.

Alexander III. Pope, confirms the bull of Adrian, 26

Alfred, King, educated in Ireland, 21.

Allan, Archbiſhop of Dublin, a creature of Wolſey's—His animoſity to the Geraldines, 50.

America, firſt cauſe of Iriſh legiſlative independence, 429, 574.
Compared with the caſe of Ireland, 440, 503, 599.
French join them, 454–5.
End of the war, 585.

Anneſley againſt *Sherlock*. Caſe on appeals to England, 244, &c.
Cauſe of the Britiſh act, 5 Geo. I. c. v. 249.

Ann, Queen, her acceſſion—in the heat of parties, 210.
Oppreſſes her Catholic ſubjects with a ſevere code of laws, 211.

Ann, Q. Extremely adverſe to the Diſſenters and Whig party in Ireland, 228.
Favors and commends Chancellor Phipps, 233.
Averſe from the Hanover ſucceſſion, 234.
Irritated at being forced to put a reward of 50,000*l.* on the head of her brother, *ib.*
Writes ſeveral letters about the Duke of Cambridge's coming to England, 235.
Mortified at the conduct of her council, 236.
Taken ill and dies within three months of the diſorder ſhe then took, 236.

Apoſtle, St. Patrick, of Ireland, 20.

Appeals from Ireland to England eſtabliſhed in the caſe of Anneſley *v.* Sherlock, 244–5–6–7–8–9.

Armagh, archbiſhop of, Dowdall, oppoſes the reformation, 67.

Army, maintained out of the Catholic fines and preſentments, 117.
Statement of grievances from the abuſes of the army, Appendix XIX.
Increaſe of, under Lord Townſhend, 392.
Report upon abuſes in the pay iſſued, 393.

Articles of Lambeth, 102.

Arts and ſciences cultivated by Iriſh, 16.

Aſcendancy, Proteſtant, firſt eſtabliſhed, 108.
Secured by Wentworth, 122, 127.

Aſton, Sir Richard, a moſt upright judge, 340.

Athenree, battle of, 31.

Attainder, act of attainder of Iriſh rebels under James II. 190.

Author cenſured by Sir Richard Muſgrave, note, 4.

B

Bagnall, Mr. propoſes a patriotic donation to Grattan, 612.

INDEX.

Bagnall, Mr. his ſpeech on the occaſion, 612.
Bale, Proteſtant Biſhop of Oſſory, his violent and imprudent conduct, 68.
Bank of Ireland eſtabliſhed, 623.
Bards, public and private, 17.
Bards, ancient, in high eſtimation, 15.
Barnewall, Sir Patrick, ſent to England and impriſoned by James I. for remonſtrating, 103.
Baſtards, formerly not excluded from inheritance, 12.
Bede, his teſtimony of there being no venomous reptile in Ireland, 4.
Honorable teſtimony of the Iriſh learning, 21.
Bedford, Duke of, lord lieutenant in 1757, favorable to the Catholics, 320.
Bel or *Bal's Fires* at Midſummer, of Phenician origin, 8.
Bellingham, Sir Anthony, his mild and ſalutary conduct, 66.
Sacrificed to intrigue, *ib.*
Bill of Rights rejected in Ireland, 370.
Bingham, Sir Richard, preſident in Connaught, violent and unjuſt, 82.
Biſhops, Proteſtant, only five adopt the reformation under Edward VI. 67.
Deprived by Queen Mary, 69.
Bogs of Ireland, of their nature, 18.
Catholics enabled by ſtatute in 1770 to take leaſes for 51 years for reclaiming them, 416.
Bolingbroke, Lord, confided in by the Tories, 287.
Borlaſe, Dr. falſity of his hiſtory, 12.
diſtorts Clarendon's MS. 13.
Boulter, Primate, eſtabliſhes and ſupports Engliſh influence and aſcendancy in Ireland, 255 to 271.
His artful recommendation of perſecuting the Catholics, 286.
Bourke, Honorable John, oppoſes Catholic favor, 559
Boroughs, how many ſent miniſters to parliament, *temp. Jac.* I. 109.
Boyle, Walſingham, his motion in the Britiſh Houſe of Commons about Lord Townſhend's prorogation of the Iriſh parliament, 402.
Negatived by 178 againſt 65, 404.
Brehon Laws ſtrictly obſerved by the Iriſh, 22.
Broghill, Lord, unfaithful to the royal cauſe, and gained over by Cromwell, 162-3-4.
Brown, archbiſhop of Dublin, ſent over by Lord Cromwell, 52.
His ineffectual efforts to promote the reformation, 53.
Not ſupported by government, 60.
Brownlow, ſpeaks for Catholics, 560.
Bruce, Edward, called over from Scotland to ſhake off the Engliſh yoke, 31.
Burke, Edmund, his opinion of the Revolution of 1688 upon Ireland, 195-6.
His opinions upon Lord Bute's adminiſtration, &c. 348 to 351. 378.
His opinion on perſecution of Catholics, 426
His correct obſervations on Iriſh hiſtory, 467.
His ſpeech on the ſituation of Ireland, 503.
Intereſting opinions on Mr. Gardiner's bills, 582-3-4.
His account of the Shelburne adminiſtration ſucceeding the Rockingham adminiſtration, 621.
Buckinghamſhire, lord lieutenant, ſubſervient to the Britiſh cabinet; takes his attorney, Mr. Heron, for his ſecretary, 446.
Neither of them fit for their ſituations, *ib.*
Admits the financial difficulties of the kingdom, 457.
His ſpeech to parliament, 465-6.
Imbecility of his government, 493.
His ſpeech to parliament, the 2d September, 1780, 520
Recalled on 29th Dec. 1780, 521.
Burgh, Mr. Huſſey, ſpeaks for Catholics, 561.
Bulls of Adrian IV. and Alexander III. 26. and Appendix, No. I.
Various opinions of them, 27.
Effect on the Iriſh clergy, 30.
Bute, Earl, his adminiſtration, 348.

C

Cahwell, Sir James, traduces the Catholics, 367.
Cabinet. Vid. *Engliſh.*
Camden, prejudiced againſt the Iriſh, 3.
His teſtimony of them, 4.
Campbell, Dr. his ideas of the White Boys, 339.
His character of Primate Stone, 370.
His deſcription of Iriſh ariſtocracy, 371.
Camden, Earl of, his ſpeech in the Britiſh peers in favor of Ireland, 498-9.
Cambrenſis, who, 6.
Miſrepreſents Iriſh hiſtory, *ib.*
Capel, lord deputy, favors the Engliſh intereſt, convenes a new parliament, 201.
Carliſle, Earl of, lord lieutenant 3d of December, 1780, 521.
Expects to be recalled on the downfall of Lord North, 556.
Sends his reſignation by his ſecretary, *ib.*
Receives a written addreſs from, and thanks the commons in a letter, 597.

Carliſle,

INDEX.

Carliſle, Earl of, ſtrongly ſupports Lord Lanſdowne's motion for legiſlative independence, 601.

Carte, Mr. unfaithful hiſtorian, according to Warner, 114.

Carteret, lord lieutenant, no friend to Ireland, 268. Deceitful ſpeech from the throne, 271.

Caſtlehaven, Earl of, his memoirs, 12.
His opinions about rebellion, *ib.*
Impriſoned for offering his ſervice to check rebellion, 140.
His teſtimony of the loyalty of the Catholics, 141.

Catholic, Roman religion, moſt of Elizabeth's army in Ireland of that perſuaſion, 86. 98.

Catholics, hurt at being appointed inquiſitors of their brethren for non-compliance with Elizabeth's laws, 103.
They remonſtrate, and are impriſoned, *ib.*
Tolerated at firſt by Charles I. 114.
Their offer to maintain 5000 infantry and 500 horſe for Charles I. rejected as an idolatrous undertaking, 115.
Their remonſtrance to Charles I. about the promiſed graces, 124. and Appendix, No. XX.
The firſt and laſt in arms for Charles I. 131.
Their remonſtrance drawn up by B. Bedel, 135. and Appendix, No. XXII.
Proclamation that Iriſh Papiſts had univerſally rebelled, 136.
Corrected by the lords juſtices in a ſubſequent proclamation, that they meant only ſome mere Iriſh in Ulſter, 137.
Goaded to arm in ſelf-defence in 1641, 139, 140.
Offer to ſtop the rebellion of 1641, and are impriſoned, 140.
Sir John Read racked, 141.
They confederate for ſupport of the king and conſtitution, *ib.*
The oath of the confederates, Appendix, No. XXVI.
Acted as and were true loyaliſts, 141.
Their remonſtrance at Trim, 142. Appendix, No. XXVIII.
Confederates aſſert their loyalty, 144.
They make peace publicly with Ormond, privately with Glamorgan, 152.
Conclude peace with Ormond on the 28th March, 1646.
Deſire Ormond to lead them againſt the king's enemies, 154.

Catholics, their declaration that the king was under dureſs, and that they ought to oppoſe his enemies, 156.
Honorably receive Ormond at Kilkenny, and put him at their head, 157.
The only compact national body that remained loyal to Charles till his death, though ill uſed by him, 159.
Thoſe who ſerved under Phelim O'Niel declared rebels by the confederates, 161.
Return to the confederacy on account of Charles II. taking the covenant, 165.
Biſhops excommunicate ſuch as adhere to Ormond for having adviſed Charles II. to take the covenant, *ib.*
Reject all terms with the regicides, 167.
Inhumanly murdered at Drogheda and Wexford by Cromwell, *ib.*
Their meritorious conduct to and return of ingratitude from Charles II. 169.
Excluded from the parliament of Charles II. 170.
Perſecuted and calumniated to keep them out of the act of oblivion and general pardon, 171.
Injuſtice done to them by the acts of ſettlement and explanation, 174.
Injured by the court of claims, *ib.*
Admitted into offices by James II. 178.
Their degraded ſtate under William, 198.
Several penal laws againſt them made under William and Mary, 201.
Holden out as enemies to the ſtate, 217.
Termed the *common enemy*, 219.
During the laſt century made no weight in the national ſcales, 222.
Lords juſtices recommend enmity between Catholics and Proteſtants, 240.
Called the common enemy by Lord Carteret, *ib.*
Moſt ſeverely puniſhed when their loyalty was moſt conſpicuous, 243. 252.
Jealous at the favor ſhewn to the diſſenters, 251.
Excluded from the proſperity of the nation, *ib.*
Iriſh laws againſt them, 253.
Severely perſecuted under Geo. I. 262.
Addreſs Geo. II. but lords juſtices ſtop the addreſs, *ib.*
Deprived of elective franchiſe, 263, 269.
Side with the patriots, 268.
New law to prevent them from being ſolicitors, 271.

Catholics, Collection to oppoſe it cauſes a renovation of rigor againſt them, 271.
Enliſted in the Engliſh army, 289.
Firſt favored by the Duke of Bedford, 320.
Meet about redreſs, and diſagree, *ib.*
Make a declaration of their tenets, 321. Appendix, No. LXI.
Firſt Catholic committee, 321.
Dr. Johnſon applied to to write for them, *ib.*
Their addreſs of loyalty on the alarm of French invaſion, 324.
Well received by the lord lieutenant, 325.
Internal diſſentions amongſt them, 324.
The merchants better judges of the wants of the poor than the land owners, 325.
Charged with the riots, and cleared by the ſpeaker from the chair, 328
Commended by Serjeant Stannard, *ib.*
Addreſs Geo. III. 334.
Attempts made to implicate them as White Boys in the accuſation of Mr. Sheey, 340.
Traduced by Cauldwell, 367.
Maſon's bill for enabling them to lend money on mortgage negatived, 366–7–8–9. 426.
Enabled to take leaſes for 51 years, under various uſages for reclaiming unprofitable bogs, 416.
Both the Popiſh mortgage bill and leaſe bill brought forward by Lord Harcourt, and failed, 426.
Enabled to take an oath of allegiance, 427.
Mr. T. Townſend wiſhes to attach their affections, 460.
Oppreſſed by the Iriſh parliament after the Britiſh parliament was diſpoſed to relieve them, 461.
Sir George Savile's motion in favor of the Engliſh Catholics, 461–2.
Lord Beauchamp (now Marquis of Hertford) favorable to them, 462.
Mr. Gardiner's motion in favor of them, 463.
Bill in their favor paſſed with extreme difficulty, 465.
Oppreſſed, vilified, and degraded in private life, 555.
Mr. Gardiner gives notice of bringing in a bill in favor of Catholics, 555, 559.
Mr. Gardiner's bill brought forward January 1782, 560.
Catholics, Leave given to bring in Mr. Gardiner's bill, 561.
Brought in by Mr. Dillon under the indiſpoſition of Mr. Gardiner, *ib.*
Oppoſed by Mr. John Bourke, Maſon, and Parnell, *ib.*
Mr. St. George, Mr. and Colonel Wynne, and Mr. Flood, oppoſe Mr. Gardiner's bill, 571.
Mr. Gardiner divides his bill into three, two he carries, and loſes the third, 579 to 581.
Inſtances of unjuſt penal laws, 580–1.
Caunſinny, what, 18.
Charles I. his acceſſion to the throne, 113.
Tolerates the Catholics, 114.
Actuated by the odious principle of the Stuarts, 115.
Perſecutes the Catholics, 116.
Commends the lords juſtices for it, 117.
His duplicity and deceit to his Iriſh Catholic ſubjects, 123.
Concurs with Wentworth in a direct ſyſtem of fraud and deceit, 127.
Recalls Wentworth, but ſends him back with additional honor and power, 128.
His ſpeech condemning Stafford as guilty of high miſdemeanors, 130.
Appoints Stafford's relatives, Sir Henry Wandeſworth and then Lord Dillon, to govern Ireland, *ib.*
Attempts a new ſyſtem of governing Ireland according to law, *ib.*
Publiſhes a new proclamation of the graces promiſed in the 4th of his reign, 131.
Gains credit again with the Iriſh, *ib.*
Grand rebellion proclaimed, *ib.*
His letter to the lords juſtices, Appendix, No. XXIV.
His opinions of the Iriſh rebellion in 1641, 133–4.
Affected by the remonſtrance at Trim, orders Ormond to negociate a ceſſation of arms, 142.
Wiſhes the ceſſation to take effect, 144.
His letters to that purport, 145. and Appendix, No. XXX.
His wiſhes to make peace with his Catholic ſubjects aroſe from his deſire to ſecure their ſervice in Scotland, 146.
His duplicity to the Iriſh, *ib.*
Publiſhes grounds and motives of the ceſſation, 147.
Anxious that Ormond ſhould make peace with the confederates, 149.
Undertakes to diſpenſe with the whole penal code, 150.

Charles I. gives large powers to the Earl of Glamorgan, 151–2.
Knew not of the peace concluded at laſt by Ormond, 158.
Beheaded, 159.
Charles II. confirms the peace from the Hague, 160.
Takes the covenant in Scotland and revokes the peace of the Catholics, 161.
Makes treaty with the Duke of Loraine for aſſiſtance in Ireland, 165.
His ingratitude to the Iriſh, 169.
His favorable intentions to the Catholics thwarted by Ormond, 172.
Death of, 176.
Cheſterfield, Earl of, lord lieutenant in 1745, 290.
His prudent conduct, 293, 296.
Addreſſed by lords and commons, 299.
Inſtantly recalled, when the danger was over, 301.
Chicheſter, Sir Arthur, intemperately ſevere and encourages diſunion, and ſets afloat rumours of plots, &c. 103.
Procured a grant of all the land of Inniſhowen, 106.
Determined enemy to the Catholics, 108.
Clancarthy, the reverſal of his attainder oppoſed by Boulter, 287.
Clanricarde, Earl of, his letter upon the loyalty of the Catholics, 141, and Appendix, No. XXVII.
State of Ireland in 1651. 165.
Clergy, Catholic, their influence in procuring peace, 31.
Their part ſubmiſſion to the bull of Adrian, 33.
Clergy, Proteſtant, their declaration of the unlawfulneſs of accepting the Catholics' offer of 5000 infantry and 500 horſe, Appendix, No. VIII.
Clare, regiment of, in the French ſervice, 292.
Earl of, his opinion of the impolicy of Henry VIII. 56.
Ditto of Elizabeth, 74.
Ditto of the parliament of James I. 109.
Wilful miſrepreſentation of the Catholics' reſiſtance to the parliamentarians and Cromwell, 168.
Juſtifies Cromwell and his regicides, 170.
His repreſentation of the act of ſettlement, 174.
Ditto of the reign of James II. and the Iriſh confiſcations, 192–3.
His account of Molyneux's book and Iriſh legiſlative independence, 105
His repreſentation of Iriſh government in the days of Queen Ann, 218.
Clare, E. of, his opinion of Primate Stone, and the ruinous government under him, 310.
Ditto of the Iriſh ariſtocracy, 311.
Oppoſes the thanks to the volunteers, 530.
Declares the Catholics deſerving of indulgence, 556.
Starts objections againſt the Catholic bill, which he afterwards abandons, 562–3.
Declares he always was for legiſlative independence, though he had ever voted againſt it as unſeaſonable, 596.
Maintains the ſettlement of 1782 was not final as to conſtitution, 611–12.
Clarendon, Earl of, his falſe repreſentation of Iriſh happineſs under the Stuarts, 118.
Contradicts himſelf, 137.
Admits the Proteſtants began the maſſacres, 188.
Succeeds Ormond as lord lieutenant, 178.
Coynge and Livery, oppreſſive to the Iriſh, 42–3.
Coke, Sir Edward, his honorable teſtimony of the Iriſh, 23.
Commons, vide *Houſe.*
Confederates, Iriſh, vide *Catholics.*
Connaught, province of Catholics, all driven thither by Cromwell, 168.
Connolly, Mr. ſeconds Mr. O'Neil's motion for thanking the volunteers, 530.
Speaks for the Catholics, 560.
Conſtitution, vide *Britiſh* and *Iriſh.*
Coote, Sir Charles, rebels againſt the king, 147.
Goes over to Cromwell, 162.
Returns to Charles II. and is created Earl of Montrath and one of the lords juſtices, 170.
Cork, city of, petition of the merchants upon the ſtagnation of trade, 447–8.
Earl of, his enormous rapacity and cruelty, 140.
Cornwallis, Earl of, diſclaims Sir Richard Muſgrave's Hiſtory of the Rebellion in Ireland, 5.
Meſſage to the houſe of the ſurrender of his army in America, 542.
Cromwell, Oliver, gains over Lord Broghill, 163.
Offers terms to the Iriſh, 165–6.
His camp well ſupplied on account of his good diſcipline, 166.
Siege and maſſacre of Drogheda, 167.
Curry perſecuted on account of his memoirs, 322.

D.

Daly, Mr. Dennis, his oratory, 536.
Speaks for toleration, 556.
Danes, ravages by them in 9th and 10th centuries in deſtroying hiſtorical documents, 16,

INDEX.

Davies, Sir John, teſtimony of the Iriſh, 399.
Report of Caſe of Tanniſtry, 14.
Account of the oppreſſions of the Engliſh government in Ireland, 37.
Ditto of the ſtate of Ireland, under Henry VIII. 64.
Avoids mentioning religion throughout, 106.
Debt, National, riſe and progreſs of, 278-9-80.
Dermod, King of Leinſter, 26.
A favorite with the populace and the clergy, 29.
Makes peace with O'Connor and O'Rourke, 31.
Derry, Biſhop of, teſtimony of Cambrenſis, 6.
County of, forfeited by the pretended rebellion of Tyrone and Tyrconnel, 104.
Town of, beſieged by James II. 185.
Biſhop of, his teſtimony of the falſity of Engliſh hiſtorians, 18.
Plantation of Londoners, 105.
Diſcoveries, in bogs, 19.
Deſmond, Earl of, in rebellion, 78.
Beheaded by a common ſoldier, 79.
Act of attainder and for forfeiture of his vaſt poſſeſſions, 80.
Form of aſſociation of his followers, 81.
Diſpenſing Power given to the king over Iriſh acts of parliament, with conſent of privy council of England inſerted in heads of an Iriſh bill, and carried, 380.
Violently oppoſed by Lucas, *ib.*
Diſſenters puniſhed by the ſacramental teſt, deceived by the Proteſtant parliament, 214.
Tory adminiſtration of Ann againſt them, 223.
Moſtly Cromwellians and infected with republicaniſm, *ib.*
Too powerful to be oppoſed by the Britiſh cabinet, 228.
Intended to be included in the Engliſh ſchiſm act, 230.
Mr. Bromley, ſecretary of ſtate, ſpeaks againſt them, 231.
Favored under George I. 243, 251.
Attempt to repeal the ſacramental teſt fails, 284.
Motion in their favor, 463.
Mr. Gardner commends their political principles, 559.
Their relief oppoſed by Britiſh cabinet, 603.
Sacramental teſt repealed, 623.
Diſſentions, under Queen Ann, were all between Proteſtants and Proteſtants, 227.
Dobbs, Mr. account of volunteers, 487.
Dowdall, Primate of Armagh, oppoſes the reformation, 67,
Conference between him and Staples, biſhop of Meath, 67.
Derſet, Duke of, ſucceeds Lord Carteret, 280.
Not unfavorable to the Catholics, 281.
A ſecond time lord lieutenant, on purpoſe to oppoſe the patriots, 309.
Diſliked the ſecond time becauſe wholly ſubſervient to Stone, 310.
Frightened out of the kingdom, 311.
Drogheda, town of, beſieged, 167.
Druids aſſembled at Tarah, 15.
Dublin, Archbiſhop of, Brown, ſent over to promote reformation, 52.
City of, many magiſtrates forced to conform or be fined, 103.
Citizens addreſs (late Lord Chatham) Mr. Pitt on his reſignation, 350.
Reſolutions in favor of ſeptennial bill, 353.
Counter-reſolutions by the court party in the commons, 354.
Citizens of, addreſs Lord Effingham on his reſigning his command not to act againſt America, 440.
Petition of manufacturers of, to parliament on ſtagnation of trade, 448.
Paſs non-importation reſolutions, 485.
Dungannon, meeting of, and reſolutions of volunteers, 564.

E.

Eden (now Lord Auckland), ſecretary to Lord Carliſle, defends Lord North's attention to Ireland, 534.
Speech in favor of perpetual mutiny bill, 539.
Speech on finance, 549.
Indecently precipitate in moving for the repeal of the 6th of Geo. I. 587.
Refuſes to hold communication with miniſters about the ſituation of Ireland, *ib.*
Debate thereupon, Appendix, No. LXVIII.
Edward VI. his reign not noticed by Sir John Davies, 65.
Progreſs of reformation in his reign, 67.
His death, 69.
Effingham, Earl of, addreſſed by the citizens of Dublin for reſigning his command on the American war, 440.
Elective Franchiſe, Catholics firſt deprived of it under Geo. II. 263.
The diſqualifying clauſe inſidiouſly paſſed, 269-70.

INDEX.

Elizabeth, Queen, her acceſſion, 72.
Enforces the reformation, *ib.*
Convenes a parliament and gives directions to pre-diſpoſe members, 73.
Reſtores the reformed religion, *ib.*
Paſſes ſeveral ſevere acts, *ib.*
Inſults and provokes the Iriſh, 76.
Sets forth a falſe title to the crown of Ireland, 77.
Impoſes unconſtitutional tax upon the Iriſh, 77.
Hates and is hated by the Iriſh, *ib.*
Impriſons the lords of the pale, who remonſtrate, 78.
Third parliament of Elizabeth ſhort and ſtormy, 80.
Grants lands in Munſter, 81.
Propoſes peace to the Iriſh, 85.
Grants a truce for ſome months, *ib.*
Unſucceſsful in Ireland, 85.
Irreſolute in her laſt days, 86.
Her death accelerated by her Iriſh ſubjects and execution of Eſſex, 87.
England, perpetual enmity with Ireland, 36.
Engliſh, invaders, make ſome lodgments on the coaſt, 29.
Settlers, deſpotic, 38.
Self-intereſted and cruel, *ib.*
Engliſh cabinet alters the ſeptennial bill into octennial, hoping the Iriſh parliament would therefore reject it, they do not object becauſe they wanted the bill, p. 388.
For that reaſon they reject the judges bill, *ib.*
Claim a right to tax Ireland, 428.
Delay the redreſs of Iriſh grievance, 484.
Their proceedings againſt honor and conſcience (according to Marquis of Stafford) 498.
Defend themſelves againſt the charges of neglecting Ireland in 1774, 501–2.
Engliſh Influence and aſcendancy eſtabliſhed by Boulter, 252 to 260.
Oppoſed by Tories and patriots, 262.
Puſhed to exceſs to the detriment of Ireland, 265–6.
Inſtances of its prevalence in the Broderics and Lord Clanricarde's caſes, 272–3.
How ſupported by Boulter and Stone, 367.
Great ſtretch of, in the election of the new parliament in 1775, 445.
Eſſex, Earl of, lord lieutenant, his letter to Elizabeth, 77.
Eſtates, reſumption of, fruitleſs grounds of, 10.

F.

Faith of the Iriſh, the Roman Catholic taught by St. Patrick, 19.
Faulkland, Lord, his character, 115.
Yields to the king's enemies, 26.
Sacrified and recalled, 116.
Fenton, a corrupt ſecretary, 85.
Fez of Tamrah or Tarah, 15.
Fitzpatrick, ſecretary to Duke of Portland, his ſpeech in the Britiſh commons, 590.
Fox, Honorable Charles James, his opinion of the volunteers, 505.
Speech on the perpetual mutiny bill, 521 to 527.
Secretary of State, delivers a meſſage from the throne relative to Ireland, 588.
His ſpeech on Iriſh independence, *ib.* and 602 to 605.
Reſigns on the death of Marquis of Rockingham, 620.
Fitzwilliam, Sir William, his government unjuſt and rapacious, 83.
Falſely impriſons Sir Owen M'Toole and Sir John O'Dogherty, *ib.*
Commits other enormities, 84.
Flood, Mr. ſpeech, 12th October, 1779, 491.
Deprived from oppoſing miniſters, 537.
His firſt oppoſition ſpeech, *ib.*
Seconds Grattan's motion againſt perpetual mutiny bill, 539.
Speech (hiſtorically inſtructive) on Poynings' law, 550 to 554, 557.
Motion for his being reſtored to his place rejected, 615.
Oppoſes the ſimple repeal, 616, 618, 619, 620.
Foſtering made treaſon by ſtatute, 14.
Forfeitures of ſix northern provinces by the flight of Tyrone and Tyrconnel, 104.
Foſter, Mr. replies to Mr. Grattan on finance, 547 to 549.
Free quarters, 42, 43, 121.
French fleet, intended for the invaſion of Ireland, defeated by Hawke, 329.
Thurot arrives off Ireland, *ib.*
Takes Carrickfergus, 330.
Sails thence, is overtaken by Captain Elliott, Thurot is killed in the action, 330.
The author taken by Thurot in the preceding year, 331.

Gardiner,

INDEX.

G.

Gardner (afterwards Lord Mountjoy) gives notice of his bill in favor of Catholics, 555.
Speech in their favor, 559.
Gavelkind, 12.
What in Ireland, 13.
Geo. I. his acceſſion, 237.
His character and death, 261.
Geo. II. his acceſſion, 262.
Addreſſed by the Catholics, 262.
Againſt penal laws, 289, 291.
Poiſoned againſt Lord Cheſterfield, 290.
Character and death, 332.
Geo. III. his acceſſion, 333.
Addreſſed by the Quakers and Catholics (amongſt others), 334, and Appendix, No. LXVII.
Sends a meſſage to parliament about increaſe of the army, 392.
Sends a meſſage to the Iriſh parliament for 4000 troops off their eſtabliſhment for America, and offers to replace them with foreign Proteſtants, 432.
Sends a meſſage to parliament on the French alliance with America, 454–5.
Sends a meſſage to Britiſh parliament about Ireland, 588.
Geraldines, firſt rebellion of, 49.
Gerald, Lord, ſaved from the fury of Henry VIII. 49.
Reſtored in blood, &c. 50.
Ginckle, General, Limerick ſurrenders to, 192.
Glamorgan, Earl of, receives large powers from the king, 151–2.
His commiſſion, App. XXVII.
Charged with high treaſon by contrivance of Ormond, 153.
Soon releaſed, *ib.*
King's letters to him, App. XXXVII.
Gold Mines in Ireland, 19.
Government, Engliſh, oppreſſive on Ireland, 205.
Diſapproves of the penal laws in Ireland, and permits them, 212.
Baſe ſhift to prevent them, *ib.*
Uſe an Iriſh Ariſtocracy to debaſe the country, 219.
Tardy and reluctant to confer benefit on Ireland, 300.
Imbecility and dilatorineſs of, 192.
Oppreſſes Ireland, 37.
Government, Iriſh, againſt union and concord with England, 36.
Their means of acquiring a majority in parliament, under Elizabeth, 76.
Government, Iriſh, Their deceit in varying the recital of an act of parliament from the act itſelf, in the ſpeech from the throne, 251.
Swift demonſtrates it to be bad, 258.
Bad under Boulter, 275–6–7.
Earl Clare's opinion, that it would beat down the moſt powerful nation upon earth, 307.
Many reſignations, &c. by the oppoſition, 315.
Reprobated in the Britiſh commons, 403.
Miſchievous effects of its corruption, 404.
Invidious proviſion for the government made in favor of Engliſhmen, 63.
Gower, Earl, (now Marquis of Stafford) declares he can no longer take part with miniſters, 498.
Grafton, Duke of, lord lieutenant, recommends and forwards additional ſeverities on the Catholics, 251–2.
Grattan, his ſpeech, 19th October, 1779, on free trade, &c. 489.
Ditto on his motion againſt perpetual mutiny bill, 539.
Ditto on finance, 544 to 547.
Ditto in favor of the Catholics, 571.
Speech and addreſs to the throne on their legiſlative independence, 573 to 576.
Speech on ditto, 592.
Addreſs to the throne upon ſaid ſubject carried unanimouſly, 594–5–6.
Oppoſes the addreſs to Lord Carliſle, 597.
His ſpeech and addreſs to the throne on legiſlative independence, after the Duke of Portland's ſpeech, 606 to 610.
Received 50,000*l.* a patriotic donation, 613–4.
Abuſed by ſome volunteer corps and in the public papers, 629.
Gray, Lord, his treachery to the Geraldines, 49.
Beheaded on Tower-hill, 50.
Grey, Lord Deputy, recalled on account of his oppreſſions, 79.
Gymnaſtic exerciſes encouraged by the Iriſh, 18.

H.

Habeas Corpus Act moved for by Mr. Bradſtreet, 532.
Halifax, lord lieutenant, ſalary raiſed to 16,000*l.* per annum, 345.
His ſpeech on the White Boys, 346.
Recalled to be ſecretary of ſtate, 354.
Harcourt,

Harcourt, Lord Lieutenant, ſucceeds Lord Townſhend, eaſy in his temper, finds all done as to parliament intereſt, 418.
Temporizing meaſures of ſtating grievances through the ſpeaker, and reaſons for it, 420.
At firſt popular, till he too glaringly followed up the ſyſtem of Lord Townſhend, 422.
Diſpoſed to favor the Catholics, 425.
His conduct as to the 4000 men ſent to America cenſured in the Britiſh commons, but negatived, 441-2-3-4.
Heart of Steel Boys, who, 346-7.
Henry II. accepts of Dermod's propoſal, 28.
Gives letters of ſervice for the Iriſh expedition, *ib.*
Goes over to Ireland, 29.
The Iriſh chiefs ſubmit to him, 30.
Makes the peace of Windſor, 31.
Offers Engliſh law to the Iriſh, and deceives them, 33.
Prodigal grants to his Normans, 34.
Henry VIII. odious to the Iriſh, 48.
Provokes the Geraldines to rebellion, 49.
State of the country laid before him, 51
Bent on the reformation, 52.
Convenes his parliament, 54.
Procures all the Engliſh acts of reformation to be paſſed in Ireland, 54.
Suppreſſes ſome monaſteries, *ib.*
Enabled to deviſe the crown, 55.
The lands of Duke of Norfolk and other abſentees veſted in crown, 55.
Adopts a ſyſtem of conciliation, 61.
Creates new titles, &c. 62.
Changes the title of *Lord* into that of *King* of Ireland, 62.
Is attended by Iriſh to the ſiege of Boulogne, 65.
Coins baſe money, 65.
Heraldry, Earlieſt hiſtorical trace of, in Ireland, 15.
Hillſborough, Earl of, a Britiſh miniſter, conſents to Lord Shelburne's motion for free trade, 496.
Hiſtory of Ireland, great caution in authenticating it, 16.
Proofs of its antiquity and truth, *ib.*
Writers and compilers of, 16.
Private bards and hiſtorians cauſe of much fable, 17.
Miſrepreſented by Engliſh writers,
Holmes ſpeaks in favor of toleration, 556.
Hoſpitality of the Iriſh, 21.
Houſe of Commons, Engliſh, unanimous for Iriſh independence on Mr. Fox's motion, 605.
Houſe of Commons, Iriſh, how conſtituted under Elizabeth, 74.
Conteſt for the chair, *ib.* 109.
Their remonſtrance againſt Wentworth, 128, and Appendix, No. XXI.
Strong reſolutions againſt the Engliſh parliament, 200.
Inſiſts on their right of originating money bills, 201.
Reſolutions againſt vacating ſeats to avoid voting for odious meaſures, 211.
Congratulate Ann on the Union with Scotland, 219.
On ſame day addreſs the lieutenant for further penal laws againſt Catholics, *ib.*
Whigs retain a majority againſt the Tory adminiſtration, 223.
Complained of by the peers, 221.
Addreſs the queen againſt Chancellor Phipps, 228.
Addreſs George I. to diſmiſs Lord Angleſey, 238.
Reſolutions of, againſt Catholics, 252-3.
Say that Catholic forfeitures are the ground of Proteſtant loyalty, 274.
Reſolutions of a committee againſt the reverſal of any attainder paſſed in 1641 or 1688, 288.
At iſſue with the Britiſh cabinet about the appropriation of the revenue, 308.
Their proceeding againſt M'Neville, a notorious embezzler, 309.
Their reſolutions againſt penſions, 313.
Queſtion for tranſmitting theſe reſolutions carried by the patriots, 319.
Heads of their ſeptennial bill refuſed to be preſented in order to be tranſmitted, 352.
Reſolutions againſt thoſe of the citizens of Dublin on ſeptennial bill, 354.
After having voted penſions a grievance they put off the enquiry into them, 359.
Addreſs the king on the penſion liſt, 360.
Infidelity in their Journals, 366, 380.
Addreſs the king on the ſeptennial bill, 377.
King's anſwer not reliſhed, 378.
Paſs two patriotic bills, that were not returned, 378.
Carry a reſolution in favor of their own right to originate money bills againſt the cabinet, 396-7.

Houſe of Commons, Iriſh, The queſtion carried by a majority of nine, 398.
Order the Public Advertizer to be burned by the common hangman for libelling their parliament, 399.
Addreſs Lord Harcourt againſt the propoſal of introducing foreign troops, 433.
Move an addreſs to Lord Harcourt, 437.
Ditto to the crown upon all their grievances, negatived, 450-1-2-3-4.
Grattan, Mr. propoſes an amendment to the addreſs in 1779, 489-90.
Amendment for a free trade propoſed by Mr. Huſſey Burgh, carried, 491.
Addreſs the crown for a free trade, 493.
Paſs a ſix months money-bill, ſtrong reſolutions in favor of free trade, 506.
Their verſatility after Lord Carliſle had reſigned on legiſlative independence, 596.
Vote of 50,000*l.* to Mr. Grattan, 614
Hutchinſon, Hely, his ſtatement of the low ſtate of credit in 1760, 384.
Secretary of ſtate ſpeaks for legiſlative independence, and particularly commends Mr. Grattan, 591.

J.

Jacobites, regiments of Iriſh and Scots in the French ſervice, 292.
James I. boaſts of his deſcent from the Iriſh Dynaſty, 7.
His acceſſion to the throne of England and Ireland, 88.
His act of oblivion and grace, 99.
Act of commiſſion of grace by which the king took ſurrenders of Iriſh tenures and granted freſh grants on Engliſh tenures, 100.
Political reaſons therefore, *ib.*
His character, 101.
His proclamations for the obſervance of the act of uniformity, 102.
Palliating proclamation for Tyrone and Tyrconnel's rebellion, Appendix, No. XIV.
Miſrepreſented by Hume, 107.
Diſlikes the Iriſh as Papiſts, 108.
Creates forty new boroughs for packing a majority, 109.
Refers the parliamentary diſputes to the Engliſh privy council, 110.
Impriſons Catholic remonſtrants, 111.
Encourages informers to ſcrutinize ancient titles, *ib.*
James I. His inſulting and cruel conduct to the Catholic remonſtrants, 111.
The remonſtrance of divers lords of the pale to James, Appendix, No. XVI.
His ſpeech to the lords of the council, Appendix, XVII.
Cruelties, abuſes, and oppreſſions, by which he eſtranged the affections of the Iriſh, 112.
James II. comes to the throne, 177.
Orders Clarendon to declare he had no intention of altering the act of ſettlement, 178.
Abdicates the throne of England,
Refuſes foreign ſuccours from Louis XIV. to recover his kingdom, 183.
Received in Dublin as king, 184.
Iſſues ſeveral proclamations and convenes a parliament, *ib.*
Liſts of members, titles of acts, &c. Appendix, No. XLIV.
His conduct with reference to Ireland, 186.
Diſlikes and diſliked by the Iriſh, 188.
His character, *ib.* 191.
Impoſed on by Tyrconnel, *ib.*
Forced by the Iriſh to act againſt his own will, 189-90.
Paſſes an act for encouraging an Iriſh navy, 190.
His cowardice and miſconduct at the battle of the Boyne and flight to France, 192.
Inchiquin, Earl of, rebels againſt the king, takes a commiſſion from the parliament, and commits barbarities in Munſter, 147.
Openly rebels, 157.
Independence, legiſlative, Public thankſgiving for, 614.
Inſurrections, Northern as much Proteſtant as thoſe in Munſter Popiſh, 355.
Enquiry into the cauſes of them negatived by the court party, 355.
Ineffectual report upon them, 356.
Invaſion of Ireland ſucceſsful, 29.
Threat of, affects public credit, 323.
Account of it by Thurot, 382.
Jones, rebel general, defeats Ormond at Raithmines, 161.
Journals, Commons, unfaithful in omitting entries concerning Catholics, 366.
Ditto in ſuppreſſing alterations made in England, 380.
Of peers make no mention of ſpeaker's ſpeech to Lord Townſhend, 400, Appendix, No. LXI.

INDEX.

Ireland, antiquity of, 6.
Acknowledged at the council of Conſtance, 22.
Deſcribed by Sir John Davies, 3.
Bogs and mines of, 18.
Conſequence of, allowed at the council of Conſtance, 21.
Not let into the former principles of our conſtitution, 244.
State and grounds of parties there in days of Geo. I. 257–8.
Low ſtate of her finance, 334, 492.
Iriſh, their character, by Leland, 5.
Modern inſtances of their bravery, 290–1–2.
Aſſume a national intereſt, 301.
Their acrimony againſt the Engliſh, 32, 85.
A Phœnician colony, 7.
Under Mileſius whence the Mileſian race, 8.
Antiquity of their language, 7.
Carthaginian or Phœnician, *ib.*
Examples from Plautus, *ib.*
Their ſufferings,
Reputed enemies and outlaws, 39.
No felony to kill them, *ib.*
Liable to be killed by the Engliſh without trial on bare ſuſpicion, 40.
Oppreſſive ſtatutes of Kilkenny, 41.
Coigne and Livery, 42–3.
From Engliſh oppreſſion and Iriſh falſhood, 44.
Their calamities under 16 Engliſh monarchs, 45.
Liſt of grievances ſubmitted to Henry VIII. 51.
Their grievances under Elizabeth, 72.
Almoſt exterminated by war, famine, and peſtilence, 86.
From want of corn, money, and labour, 266–7.
Emigrations on theſe grounds from the North—all from Proteſtants, 276.
Pitiful ſtate of, in 1763–4, 358.
Addreſs on their grievances negatived, 374.
From famine and ſcarcity of caſh, 379.
Low and diſcontented ſtate of, 430.
Deplorable ſtate of diſtreſs in 1777, 449.
Another ſpeech thereupon from the ſpeaker, *ib.*
Set forth by Lord Nugent, 471.
Triennial aſſemblies at Tarah, 15.
St. Patrick, a member, 19.
Their learning and hoſpitality, 21.
Their fondneſs for juſtice, 22.
Enemies to the Engliſh, 44.
Their religion, what, 11.
No cauſe of their national prejudice; *ib.*
Veneration for the miniſters of, *ib.*
Iriſh, Roman Catholic religion, taught by St. Patrick, 19.
Not the cauſe of their diſunion, 25.
Their ſubmiſſion to Rome, 27.
Adverſe to the reformation, 67.
Not the cauſe of Tyrone's rebellion, 87.
Made a pretext and inſtrument of warfare, 87.
Suffer on this account, 107.
Oppreſſed by the Engliſh government, on account of it, 205.
Severely puniſhed for it by Ann, 211.
Their conſtitution ancient, 9.
Hiſtory, their modern, falſified by all Engliſh writers, according to Warner, 113–14.
Their honours elective, 9, 10.
Their loyalty in rejecting the offers of French ſuccour made by the Biſhop of Valence, 65.
Their loyalty to Charles I. productive of an order from parliament to give no quarter to any Iriſhman born, 147.
Their loyalty to James II. 187-89-90.
Deſerted by their king at the Boyne, 129.
Not an arm raiſed in favor of the Stuarts in Ireland ſince the acceſſion of the Brunſwick family, 210.
In the year 1715, 239.
Prevents being even attempted by Ormond, 250.
Aſſerted by Duke of Dorſet, 284.
Vouched for by Stone and Marlay, 294.
Ditto by Mr. Burke, 468.
Their warlike inſtruments, 7.
Their mode of warfare under Henry VIII. 65.
Their prejudices, 8, 9.
Inſtances and reaſons of their family pride, *ib.*
Force of national prejudices, 10.
Againſt trade, *ib.*
Mutual religious prejudices, 108.
Their ancient conſtitution, 8, 9.
Of Tanneſtry and Gavelkind, 12.
Effects thereof on the ignorant, *ib.*
Benefits to their fiſheries and commerce propoſed in the Britiſh Houſe of Commons, 431.
Debates in Britiſh parliament concerning trade, &c. 470 to 484.
Juſtices, Lords, Chancellor Ely and Earl of Cork perſecute the Catholics, and are commended by Charles I. 117.
Borlaſe and Parſons, even againſt the royal wiſhes, perſecute the Catholics with unrelenting ſeverity, in compliance with the directions of the parliamentarians, 132.

INDEX.

Juſtices, Lords, publiſh a falſe and malicious proclamation that all Iriſh Papiſts had rebelled, 136.
Qualified after the remonſtrance of the lords of the pale, 137.
Act under the parliamentarians, 139.
Sir John Borlaſe and Sir Henry Tichborne, 143.
Character of Sir H. Tichborne, 144.
Lord Capel, Sir Cecil Wyche, and Mr. Duncombe, 201.
The firſt, a pliant courtier, wormed out the others, who were firm to their country, *ib.*
Duke of Grafton and Earl of Galway, 240.
Repreſent the Catholics as the common enemy, and require the laws to be executed ſtrictly, *ib.*
Stop the Catholics' addreſs to Geo. II. 262.
Lord Chancellor Jocelyn, Earls of Kildare and Beſbrough, 316.

K.

Kildare, Earl of, lieutenant under Hen. VIII. 48.
Obnoxious to the king, *ib.*
Wolſey ſeeks his life, *ib.*
His ſon and five uncles treacherouſly taken and beheaded, 49.
His younger ſon eſcaped, and educated by Cardinal Pole, 50.
Died of grief in priſon, *ib.*
Attainted by parliament, 56.
Preſents a ſpirited memorial to Geo. II. about his country, 313.
The memorial, Appendix, No. LXVIII.
Kilkenny, ſtatutes of,
Confederates of, 141.
Coal of, 417.
King's County (Leix) made a ſhire, 70.
King, Dr. his work againſt the Catholics, 177.
Guilty of groſs falſity, 183.
Kings of all Ireland, 8–9.
Meath, their appanage, 9.
His revenues, *ib.*
Elective within their ſepts, *ib.*
The ſucceſſor elected during the life of the reigning monarch, 10.
Lordſhip converted into *Kingdom,* 62.
Provincial kings of Ireland, 10.
Subject to the monarch, 11.
Petty, of Ireland, 8–9.
Offaly, Limerick, Cork, &c. 10.
Subject to their provincials, 11.
Had all their ſtate officers, 12.
Submit to Henry II. 30.
Knighthood, very ancient in Ireland, 9.

L.

Langriſhe, Sir Hercules, ſpeaks for Catholics, 560.
Land Owners in Ireland deſpotic, 325.
Lanſdowne, Marquis of, formerly Earl Shelburne, ſpeech in the Britiſh Houſe of Peers, 477–8–9, 484.
Speech and motion againſt miniſters for refuſing a free trade to Ireland, &c. 1ſt December 1779, 493 to 496.
His motion in favor of free trade, 507.
His ſpeech in favor of Iriſh independence, 599 to 601.
The Shelburne adminiſtration, 620–1.
Laws, Brehon, 22.
Engliſh, received by the Iriſh at the council of Liſmore, 33.
Penal. Vide *Catholics, Elizabeth, James, Iriſh,* &c.
Of Poynings, 616, &c.
Learning of the Iriſh, 21.
Leitrim finds for the king under Wentworth's inquiſition, 125.
Leix, a county made a ſhire, 70.
Leland, Dr. avows difficulty of writing Iriſh hiſtory, 1, 2.
Leſly, Dr. his anſwer to Dr. King, 177.
His impartial opinion of James II. 180.
Anecdotes of James II. favoring Proteſtants, 191.
Liberty, Civil, progreſs of it in Ireland, from 1688 to 1782, 389 to 391.
Limerick, ſurrender and articles of, 192. and Appendix, No. XLIX.
Immediately violated, 196.
Recognized by the Engliſh act of 3 William and Mary, c. 11.
Confirmed (or rather abridged) by Iriſh parliament, 203.
Petitions againſt the act rejected, *ib.*
Some compriſed in them petition againſt the act of Ann, heard by council, 212–3.
Arguments of council, 411.
Literature, ancient ſtate of, 20.
Ireland, chief ſeat of learning from the 5th to the 9th century, *ib.*
Liturgy of the Church of England eſtabliſhed in Ireland by proclamation, 67.
London-Derry, Citizens of London obtain grant, and rebuild Derry, 106.
Lucas, ſtarts upon the right of Dublin election, 301
His profeſſion of political faith, Appendix, No. LVII.
Proſecuted; flies Ireland; his character, 314.
Returned member for the city, and heads the patriots in moving for ſhortening duration of parliaments, 352.

INDEX.

Lucas, Brings in heads of a ſeptennial bill, 352.
Brings in two other bills for better ſecuring the freedom of parliament; fails in all, *ib.*
Strongly oppoſes the diſpenſing power in the crown with conſent of the Engliſh cabinet, 381.
His principles, character, and death, 381-2-3-4, 415.

M.

Macmahon, unjuſtly put to death by Sir William Fitzwilliam, 84.
Mary, Queen, her acceſſion, 69.
Reſtores Catholic religion, *ib.*
Iriſh diſſatisfied with her government, 71.
Maſon, Mr. Monk, introduces a bill to enable Catholics to place money on mortgage, negatived by a large majority, 369.
Maſſacre, inhuman, of foreign troops at Smerwick under Sir Walter Raleigh, 79.
In 1641, begun by murdering 3000 men, women, and children in Magee, 137.
Meath, County of, appanage of the Iriſh monarch, 9.
Divided into two counties, 63.
Middleton, Lord, ſeconds Lord Oſſory's motion in Britiſh Houſe of Commons, 6th December, 1779, 500-1.
Military Eſtabliſhment, abuſes of in 1764, 359, 394.
Mileſius, head of the firſt Phœnician colony in Ireland, 8.
His three ſons, *ib.*
One hundred and nineteen monarchs of his race, *ib.*
Monarchs of his race for 2140 years, 9.
Molineux, the firſt Proteſtant Iriſh patriot, his book condemned by the Engliſh parliament, 203.
Monroe, rebels againſt the king, 147.
Mountjoy, Lord, prudently takes upon himſelf to make peace with Tyrone, 86.
Marches an army into Munſter to check the open exerciſe of religion, 98.
Mines, Ireland ſuperabounds with them, 19.
Miniſters of England. Vide *Engliſh Cabinet*.
Money Bills, right of originating them in the Commons, 396.
Munſter, Province of, planted by Elizabeth, 81.
Muſgrave, Sir Richard, cenſures the author, 4.
Diſclaimed by Lord Cornwallis, 5.
Muſic, Iriſh fond of, 17.
Cambrenſis and Geminiani give teſtimony of their taſte for it, 18.
National, praiſed by great maſters, *ib.*
Mutiny Bill, perpetual, paſſed, 516.
Gives great diſcontent, *ib.*
Reſolutions againſt it, 517.
Mr. Fox's ſpeech upon it, 521 to 527.

N.

Naturalization, general act of, offered by Edward III. and refuſed by the Iriſh government, 36.
Nation, ſtate of, ſet forth in Mr. Pery's motion on penſion liſt, 363-4-5.
Set forth in an addreſs to the crown, which was negatived in the Commons, 407.
Newry, petitions againſt the perpetual mutiny bill and the ſugar duty bill, 516.
News-Papers, Freeman's Journal and Hibernian, 391.
Cenſured by parliament, 517.
North, Lord, diſpoſed to relax the penal laws, 426, 458.
Charged with groſs neglect of Ireland, 502.
Speech on Iriſh trade, 507 to 512.
Downfall of his adminiſtration, 584.
Northumberland, Earl of, ſucceeds Lord Halifax, 354.
His ſpeech from the throne in 1763, 355.
Nugent, Earl, ſpeaks ſtrongly in favor of the commerce of his country in the Britiſh Houſe of Commons, 459.
Supports the intereſt of Ireland in the Britiſh Houſe of Commons, 474.

O.

Oak Boys, who, 346.
O'Connor, Roderick, monarch of Mileſian race, 1166, 26.
Makes peace with Henry II. 31.
Charles, of Ballinagare, his counter appeal againſt Cox and Lucas, 302.
His letter to Curry about Catholics, 320.
Correſpondence about Catholics, 322.
October Club, who, 231.
O'Dogherty, Sir John, falſely impriſoned by Sir William Fitzwilliam, 83.
O'Donnel, who had been in rebellion, accompanies Lord Mountjoy to James's Court, and is created Earl of Tyrconnel, 97.
Ollam Fodlah, favorite Iriſh monarch, 15.
Offaly, a county made an Engliſh ſhire, 70.
O'Nial, or *O'Neil*, and others ſolicit French ſuccours, 65.
Inſurrection of John, 73.
Murdered at a banquet, 74.

O'Nial, Act of attainder of Shane O'Neil, and for extinguiſhing the name of O'Neil, 76.
Phelim, forged the king's commiſſion, 161.
Tempted by the regicides to acknowledge it genuine, and refuſes, is executed, 162.
Mr. O'Neil moves a vote of thanks to the volunteers, 530.
Orange Men, different from Whigs, 199.
Ordinances, proclamation of, for the government of parts out of the pale, 64.
O'Ruarke, King of Breffny, 26.
Driven into rebellion by Sir William Fitzwilliam, fled to Scotland, delivered up, and executed in London, 83.
O'Toole, Sir Owen, falſely impriſoned by Sir William Fitzwilliam, *ib.*
Ormond, Earl of, devaſtates twenty-five miles in length, and ſeventeen in breadth, of the pale, 139.
Commiſſion to Ormond and others to meet the confederates in 1672.
His character, 142.
His maſſacre in cold blood, *ib.*
Obeys the parliamentarian committee, and marches to Roſs with five thouſand men, *ib.*
Commanded by the king to negociate one year's ceſſation of arms, *ib.*
Vindictive and cruel to his countrymen, and diſobedient to the king, 143.
Reſiſts the ceſſation againſt the will of the king, 144.
Encourages the covenant, 147.
His inveteracy to the Catholics makes him diſobedient to his ſovereign, 147-8-9.
Treats with the Scots to join them againſt the confederates, 151.
Refuſes to lead the Catholics againſt the parliamentarians, 154.
Profeſſes his partiality for the latter, *ib.*
Delivers ſword, caſtle, &c. to the rebels, *ib.*
Settles the price of his treachery, 155.
Commended by the Iriſh parliament, *ib.*
Compelled to quit ſooner than he had ſtipulated, and go to England, *ib.*
Reads a forged letter to the loyal Alderman Smith, lord mayor of Dublin, to induce him to give up the city ſword, 155.
Diſſimulates and heads the Catholics, 157
Defers the peace, and treats with the rebel Inchiquin, 157.
Concludes peace only about a fortnight before Charles's death, *ib.*
Ormond, Boaſts of delaying the peace, 158.
Avows the loyalty of the Catholics to the laſt, *ib.*
Proclaims Charles II. at Youghall, 159.
Shamefully defeated at Rathmines by Jones, 160.
Encourages Charles II. to take the covenant, 161.
Scandalous miſconduct of, 162.
Surrenders his powers to Lord Clanricarde too late to do good, 165.
When out of danger, encourages application for ſuccour even to the Pope, *ib.*
Diſobeys Charles II.'s commands as to the Catholics, 172.
Duke of, injures his Catholic countrymen by the acts of ſettlement and explanation and the courts of claims, 173.
He gained immenſely by the rebellion, 175.
Supplanted by Buckingham, *ib.*
Recalled and confirmed in office, 176.
Second Duke of, grandſon, furthers the act of Ann, 214.
10,000*l.* on his head, and attainted for adhering to a popiſh pretender, 215-6.
Dares not attempt to ſeduce his tenants, or any of the Iriſh in his rebellion, 217.
Heads an expedition in favor of Pretender from Spain againſt Great Britain, 249, 250.
Attempts not Ireland, *ib.*
Orrery, Earl of, (Lord Broghill) manner of going over to Cromwell, 163.
Returns to Charles II. made earl and one of the lords juſtices, 170.
Oſſory, Upper, Earl of, his ſpeech and motion in Britiſh Commons againſt miniſters for their neglect of Ireland on the 6th of December, 1779, 499, 500.
Makes a motion in favor of free trade, 507.
Oxford, head of the Tories at the death of Ann, 237.

P.

Pale, what, 34.
Engliſh power, civil and eccleſiaſtical, confined to it, 35.
Reduced to 20 miles round Dublin, 51, 63.
Pamphlets, the public mind kept in agitation by them, 519.
Parliament, Engliſh, legiſlates for Ireland, 197, 229.
Inconſiſtent in not applying revolutionary principles to Ireland, 204.
At iſſue with that of Ireland on Molyneux's book, 205.

Parliament, Engliſh, Its interference with that of Ireland, 206.
Houſe of Commons motion about the extraordinary prorogation of Iriſh parliament, 402.
Conſider the diſtreſſed ſtate of Ireland in the year 1778, 470 to 484.
Paſs ſome unimportant acts relative to Ireland, 484.
Grattan's motion for its independence, 513.
Prorogued on 2d Sept. 1780, 519.
Parliament, Iriſh, paſſes all the acts of reformation as in England, 54.
Suppreſſes ſome monaſteries, *ib.*
Paſſes all the infamous acts as in England concerning Queen Catharine, Elizabeth, and the king's power of deviſing the crown, 55.
Act againſt proctors being members of, 57.
Makes it treaſon to oppoſe any of the late acts, *ib.*
Paſſes ſeveral ſalutary laws about elections, &c. 62.
Act erecting Ireland into a kingdom, publiſhed by proclamation, *ib.*
Writs iſſued to ten counties by Elizabeth, 73.
Firſt of Elizabeth laſts but one month, 74.
Second parliament convened, 75.
Its illegal conſtitution, 77.
Short and turbulent parliament of Elizabeth, 80.
Parliament managed by Chicheſter, 109.
How marſhalled by Wentworth, 122, 127.
That parliament which made the ſettlement how conſtituted, 170.
Under James II. 189.
Acts of, App. No. XLVI. and XLVII.
Had been none (except James II.) for 20 years, till Lord Sydney convened it in 1693, 199.
Conteſt with the Engliſh parliament, 202.
Recognize Geo. I. 237.
Puts a price of 50,000*l.* on Pretender's head, and attaints Duke of Ormond, *ib.*
Their bill againſt the Catholics, and for caſtrating their prieſts ſtopped in England, 254.
All who oppoſed the miniſter under Stone diſmiſſed, 312.
Parliament, Iriſh, Meſſage about French invaſion, 323.
Motion for ſhortening duration of, 352.
Two bills for ſecuring its freedom brought in by Dr. Lucas; loſt, *ib.*
Octennial, eſtabliſhed, 388.
Unconſtitutionally prorogued by Lord Townſhend, 402.
Unconſtitutional act for trying offenders out of their counties, brought in by Lord Townſhend, 412-3-4.
Firſt octennial parliament diſſolved in four years, 441.
Grattan's motion for legiſlative independence negatived by a majority of 61, 579.
Parſons, Sir William, indicted for high crimes and miſdemeanors, 143.
Patrick, St. Sent to Ireland by Pope Celeſtin to preach, 19.
Called to be a member of the convention at Tarah, *ib.*
Elected one of the committee of nine, to reform and authenticate hiſtory, *ib.*
Patriots, who, under Geo. I. 258.
Carry an important queſtion on money bills, 281.
Their cauſe advanced by the popularity of Lucas, and the conviction of Neville, 309.
Their majority of 5 on the money bill, 311.
Their triumph publicly celebrated, 312.
Many of them recreant from their principles, 316, 535.
Decline in number, outvoted on the ſeptennial bill by 52, 352.
Several of them gained over by Primate Stone, *ib.*
Failed in their motion againſt penſions, 356.
Re-attack the penſion liſt, 372.
Fall off in numbers, 374.
At iſſue with the court party, 376-7-8.
Strong addreſs of theirs negatived, 376.
A moderate one carried by two voices, 377.
Obſervations on them, 394.
Object to ſending out troops to America, but fail, 483.
Succeed in rejecting the foreigners,
Move an addreſs to the throne and lord lieutenant, expreſſive of the extreme diſtreſs of the nation, 434 to 439.
Peace of Windſor, 91. and Appendix, No. II.

Peers, Engliſh, unanimous for Iriſh legiſlative independence (except Lord Loughborough, now Lord Roſſelyn) 602.
Peers, Iriſh Houſe of, wiſh for an Union, 216.
Thank Duke of Ormond for getting the act to prevent the further growth of Popery paſſed, *ib.*
Tories have a majority here, 223.
Violent addreſs againſt the commons, 224.
Addreſs the queen in favor of Chancellor Phipps, 232.
Diſpute upon appellant juriſdiction with Britiſh peers, 244 to 249.
Proceedings of, concerning Lord Townſhend's adminiſtration, 410.
Proteſt of ſixteen peers, *ib.* and other proteſts, Appendix, LXII.
Abuſe of the Iriſh peerage by granting it to Scots, &c. (Lord Macdonald) 447.
Pembroke, Earl of, lord lieutenant in 1707, 219.
Penal Laws, reaſons why not executed under Elizabeth, 98.
Surreptitiouſly obtained by Stanihurſt, *ib.*
Solemnly promulged, 102.
Severe, of Ann, 211.
Penſions, liſt of, 317.
Motion againſt, negatived, 356.
Right of the crown to grant indefinitely contended for by the court party, 358.
Enquiry into them voted unanimouſly, afterwards refuſed, 360.
Again attacked by the patriots, 372.
Motion for taking it into immediate conſideration negatived by a majority of only one, 400.
Pery, Mr. his patriotiſm againſt penſions, 360.
His ſpeech thereon, 362.
His motion on ſtate of nation, 363–4–5.
Gained over by Lord Townſhend, 405.
His ſpeech when elected ſpeaker, 406.
Ditto to the lord lieutenant on grievances, 420, 450.
Ditto in 1780, much approved of, 514.
Perrot, Sir John, promotes Engliſh intereſt fairly, 80
Supplanted by Bingham, and through intrigue accuſed and falſely found guilty of treaſon, died after ſentence, 82.
Queen pacified, intended his pardon, *ib.*
Phipps, Sir Conſtantine, chancellor, obnoxious to the Whigs, 227–8.
Supported by the peers and convocation, 233.
Phœnicians, Ireland a colony from, 1.
Pitt, Mr. his adminiſtration ends, and he retires with a penſion of 3000*l.* 348.
Citizens of Dublin, at the ſuggeſtion of Lucas, addreſs him, 352.
Plantations, firſt, under Elizabeth, 81.
Under James I. 105.
Poetry, Iriſh fond of, to enthuſiaſm, 18.
Pole, Cardinal, educates his relative Lord Gerald, 49.
Ponſonby, John, his letter on reſigning the chair, 406.
George, declares for miniſters, 536.
Portland, Duke of, lord lieutenant, in April, 1782, 587.
His ſpeech from the throne in 1782, 606.
His ſpeech to the Iriſh parliament in 1782, 624.
Portugal, checks on the trade with, 533–4.
Queſtion on it negatived by a majority of eighty-three, 536.
Reſolution not to drink port wine till the manufactures of Ireland admitted, 567.
Pope, Iriſh remonſtrate to him about the cruelties of the Engliſh, 33.
Excommunicates Elizabeth, 79.
Clement VIII. writes to encourage the inſurgents under Tyrone, 87.
Poynings (Sir Edward) law, what,
Its practice and miſchiefs, 395–6.
Pretender, 50,000*l.* on his head, 237.
Swift's opinion of him, 238.
Recruiting for him at Dublin, *ib.*
Expedition in his favor, under Ormond, planned by Cardinal Alberoni, 250.
Death of the old, in 1765, 372.
Prieſts, Catholic, receive 40*l.* per annum on conforming, 414.
Proteſt of thirty-four Britiſh peers againſt the ſchiſm act, 230, and App. No. LIII.
Proteſtant Aſcendancy eſtabliſhed in parliament, 109.
Alarmed on the acceſſion of James II. 178–79.
Accounted for in Ireland, 225–6.
Their intereſts firſt divided by Clarendon, 226.
Protector Somerſet introduces the reformation, 67
Puritans, their aſcendancy in Ireland, 102.
Oppoſe the Catholics under Cha. I. 115.
Their artful management to attach Proteſtants to their cauſe againſt the king under pretext of oppoſing Popery, 131.
Their ſpirit, 223.
Queen, vide *Elizabeth.*
vide *Anne.*
vide *Mary.*
Queen's County (formerly Offaly) made an Engliſh ſhire, 70.

INDEX.

R.

Rathmines, battle of, 160.
Rebellion of Geraldines, 49.
Of O'Nial, O'Bryan, and others, for their religion, under Henry VIII. 60.
Of O'Moore, O'Byrne, and O'Connor, under Edward VI. 66.
Ditto of Desmond,
Disposition to rebel under Elizabeth, 73.
Of Desmond, 78.
Of Bacon of Lixnaw provoked by oppression of Grey, 79.
Of Tyrone and Tyrconnel, 104.
Proximate and remote general and particular reasons of the rebellion in 1641, 138-4-5.
How begun in 1641, 188.
Of Protestants against James II. 183.
Reformation of Religion in England, 47.
Introduction into Ireland, 52.
Opposed by Primate Cromer, 58.
Violent and imprudent means of introducing it, 59.
Strong means of enforcing it, 61.
Proceeded slower with the lower than the higher orders, 61.
Irish adverse to it, 67.
Restored by Elizabeth, 74.
Religion of the Irish insulted in the means of introducing the reformation, 59.
May be made a pretext for applying to foreign assistance, 60.
Never a cause of internal dissention till the reformation, 60.
The bulk of the people not induced by the example of the better sort to change their religion, 61.
Repeal of the 6th Geo. I. 626.
Resumption of Irish grants made by King William, 206-7.
Report of the commissioners thereon, Appendix, No. LI.
Revolution of 1688 brought no liberty to Ireland, 195.
A mere conquest of Ireland, 197.
Rigby, secretary to Duke of Bedford, maintains the subordination of the Irish parliament, 428.
Rights, Bill of, rejected in 1659, 270.
Similar bill presented by Mr. Bagnall, rejected in 1765, 370.
Roche, Sir Boyle, speaks for Catholics, 561.
Rockingham, Marquis of, death of, in 1782, puts an end to that administration, 629.
Rockingham, Marquis of, his speech in the Lords, statement of the job of Lord Liverpool's patent, 495.
Roman, vide *Catholics*.
Roscommon, Find for the king, under Wentworth's inquisition, 125.
Rosen, Marechall, a Muscovite, gives the cruel order of driving in the Protestants before Derry, 190.

S.

Sackville, Viscount, (late Lord George Germaine) called up to the House of Peers, and opposed by Lord Carhampton, 584.
Saul, Mr. case of, 522.
Scalongs, what, 826.
Septs or Clans, nature of, 14.
Settlement of Irish lands, how contrived under Charles II. 170.
James II. against the repeal of the act of settlement, 189.
Shrewsbury, Duke of, Tory in heart—Whig in profession—abandons the Catholic religion, 227.
Skeffington, Lord Deputy, disperses the Irish at Maynooth, 52.
Scots, Irish, so called, 7.
Mercenary adventurers expelled by Queen Mary, 70.
Scott, Attorney General, (afterwards Earl Clonmell) opposes Grattan's address for legislative independence, 578
Under Duke of Portland, loud in favor of Irish independence, 590.
Sheey, a Roman-Catholic clergyman, executed, though generally thought innocent, 342-3.
Spain first peopled Ireland, 8.
Speaker of the House of Commons, contest for, between Barnwell and Stonyhurst, 76.
Sir John Davies chosen speaker, 109.
Mr. John Ponsonby resigns—Mr. Pery elected by a majority of four, 605.
Strafford, vide *Wentworth*.
Strongbow invades Ireland, 28.
Statutes of Kilkenny and others declare the Irish enemies, 36.
Many statutes forcing separation, *ib.*
Statutes of reformation, 64.
Queen Ann to prevent the further growth of Popery, 213.
Stone, Primate, his character, 306.
Lord Clare's opinion of him, 306.
Wholly manages the Duke of Dorset, 310
Violent in his measures, 311.
Disgraced and struck off the list of privy counsellors, 316.

INDEX.

Stone, Primate, his party intrigue with Earl of Bessborough, 314.
His exertions to create disunion in Ireland, 367.
His character, by Dr. Campbell, 370.
Supremacy, Oath of, required by statute Hen. VIII. 54.
Sussex, Earl of, continued in the viceregency by Elizabeth, 72.
Swift, Dean, his character of Wharton, 220.
Writes against the Whigs, 281.
His opinions of the Pretender, 288.
His patriotism, 256–7–8.
His Drapier's letters on Wood's halfpence, 288, 290.
Sydney, Lord Deputy, convenes a parliament, 196.
Angry at the commons for their resolutions against the English parliament, 200.
Protests against them, Appendix, No. I.
Prorogues parliament and is recalled, 202.

T.

Taaffe, Lord, his account of Irish landlords and Sculoags, 326.
Ditto of the White Boys, 338.
Tannistry, 12.
Taxes, unconstitutional, imposed by Elizabeth, 77.
Unequal and disproportionate in Ireland, 469.
Tichborne, Sir Henry, vide *Lords Justices*.
Toasts, prevalence and use of them in Ireland, 310.
Tontine Scheme fails, 425.
Townshend, Lord Lieutenant, system of governing Ireland when he came over, 384–5.
Attempts to destroy it, 386.
Drawn by the populace on passing the octennial bill, 389.
Becomes unpopular, *ib.*
Irritated at the commons' resolutions in favor of their originating money bills, is prevented from protesting against it in their Journals, 396.
Protests in the lords, *ib.* and Appendix, No. LX.
Question gained by a majority of nine, 398.
Motion against his suddenly proroguing parliament, carried by 106 against 73, 400.
Makes an ungracious answer to the commons, *ib.*
Prorogues the parliament instantly, *ib.*
Keeps the country without a parliament for fourteen months, 404.
Makes many proselytes, *ib.*
Townshend, Secures a majority of 113 in the commons, 412.
Procures an encrease of 10*l.* to Popish priests conforming, 414.
Draws his own portrait for posterity, 418.
His speech in British peers, 482–3–4.
Tyrone (O'Nial), Earl of, his forced submission to Elizabeth, 85.
His humble submission to Mountjoy, and character, 86.
He accompanies Mountjoy to the court of King James and is confirmed in his estates, 97.
Flies on account of false charge of rebellion, 104.
Anonymous letter, on which was grounded the pretended rebellion of Tyrone and Tyrconnel, App. No. XIII.
Tyrconnel, Earl of, flies on account of a false charge of treason, 104.
Head of the army—disliked by the protestants, 178.
Appointed lord deputy, 179.
His character, [illegible]
His army better [illegible] than that of Scomberg, 185.
Imposes on James II. 188.
Tories, In the latter end of Queen Anne's days violent against the Irish Presbyterians, 222–3.
Dismissed from the council by Geo. I. 237.
Joined by the patriots under Geo. II. 262.
Trade, Lord North's three propositions upon free trade, 507.
Act of Irish trade by Lord North, 508–9.
Debates about it in British parliament, 476 to 485.
Resolutions of Dublin and Waterford upon it, 485.
State of it, by Hely Hutchinson, *ib.*
State of the balance of, for several years, 486.

U.

Usher, Archbishop, introduces Puritanism into the articles of the church of England, 102.
Heads the clergy's declaration against the king's acceptance of the offer from the Catholics of 5000 infantry and 500 horse as the price of idolatry and superstition, 110.
Enters a Catholic chapel in time of divine service with a file of musketeers, demolishes and disperses, 110.

Unite-

INDEX.

Union with Scotland,
Irish peers addreſs the queen upon it, and with one for themſelves, 218.
Commons addreſs her on it, 219.
With England, reaſons for it in the miſtance of James II. 186.
Argument for, 204.
Reaſons for it, 216-17.
Project of, productive of riots, under the Duke of Bedford, 327.
Ireland better without any, than with a corrupt parliament of their own, 394.
Bad effects proceeding from want of, 33, 81.

V

Vallency, Lieutenant Colonel, ſhews the Iriſh language to be that of the Phœnicians, 7, 8.
Volunteers, origin and cauſe of, 487.
Encouraged by government, 491-2.
45,000 in 1779, 492.
Illegal, in the opinions of Mr. Burke and Lord Lifford, 505.
Mr. Fox's opinion of, 506.
Their organization and political views, 513.
They make great progreſs, 529.
Government wiſhes, but fears to diſarm them, 530.
Motion of thanks voted in commons, *ib.*
Reſolutions of Lord Charlemont's corps of Armagh volunteers for a meeting at Dungannon, 564.
Dungannon reſolutions and addreſs to the minority in parliament, 8th February, 1782, 568 to 569.
National committee approve of the ſimple repeal, 586.
They vote an addreſs to the crown in favor of ſimple repeal, 627-8.
The commiſſioners to preſent the addreſs well received at court, 629.
Diſſentions amongſt them, *ib.*
Addreſſes for and againſt ſimple repeal, *ib.* App. No. LXIX.
General meeting on 31ſt July, 1782, 65.
Queſtion of ſimple repeal carried by 81 againſt 29.

W.

Warner, Rev. Dr. his account of the falſity of the Engliſh hiſtorians about the Iriſh rebellion in 1641, 113-14.
Warner, Rev. Dr. his ſalutary admonitions relative to the Iriſh hiſtory, 115.
Waterford, town of, threatened to be deſtroyed by Mountjoy, 98.
Wharton, Earl of, lord lieutenant, a profligate character, flatters and deceives the Diſſenters and oppreſſes the Catholics, 220-1.
Wentworth, Earl of Strafford, diſſuades the king from maintaining the army with Catholic fines, 117.
His reaſons for it, 118.
His general character, 119.
His deceit to the Catholics, 120.
His pride and arrogance, 121-22.
Manages parliament, 122.
His falſity and hardneſs, 124.
Sets about the inquiſition into the titles of all Connaught againſt the act of James I. 125.
Inſtitutes a high commiſſion court, *ib.*
His corrupt and deſpotic dealings with juries, ſheriffs, judges, &c. 124-5-6-7.
Concurs with Charles I. in a direct ſyſtem of fraud and deceit, 127.
Complained of, and recalled, but made his peace with the king, and returned with additional honor and power, 128.
Alarmed at the Scotch covenanters, 128.
Raiſes an army of 8000 men; 8000 of which were Catholics, *ib.*
His teſtimony of their loyalty and zeal for the king, *ib.* 131-2.
Procures ſurreptitiouſly his own encomium to be inſerted on the Journals, 129.
The commons proteſt againſt at next ſeſſion, 129, and App. No. XXIII.
Impeached, attainted, and beheaded, 129.
Attainder reverſed in 1660, *ib.*
Though not guilty of high treaſon, yet very guilty of high miſdemeanours, *ib.*
William, Prince of Orange, called to the throne of England; fought for that of Ireland, 190.
His brave conduct at the battle of the Boyne, where he was wounded, 190.
Thwarted by his Engliſh parliament particularly in the reſumption of Iriſh grants, 206-7-8.
Not intolerant by nature—Something of his character and death, 209.

Whigs

INDEX.

Whigs, their principles in Ireland different from those in England, 198.
Prevalent in Ireland, 201.
Nearly equal with the Tories in England under Ann, 210.
Treated as factious by the Tory adminiſtration and October club, 231–2.
Engliſh Whig lords oppoſe the abſentee-tax, 423–4.
White Boys, origin of, 336.
Their oath, 344.
Called the Popiſh inſurrection, *ib.*
Cauſes of, 340.
Whitſhed, C. J. improper conduct of, 256.
Wood's halfpence, 258–260.
the patent revoked, *ib.*
Wolſey, Cardinal, his iniquity to Earl of Kildare, 48.
Writers, Engliſh, upon Iriſh hiſtory not to be depended on, 113–14.

Y.

Yelverton, Mr. (now Lord Avonmore) gives notice of his intended motion for legiſlative independence, 333.
Speech and motion to addreſs the crown on the loſs of America, 342–6.
Gives his political creed, 385.
Supports the ſimple repeal of 6 Geo. I. 617.
Young, Arthur, his opinions about Iriſh landlords, 326.

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